PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 280

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1995–96

COMPRISING PERIOD
24 June—4 July 1996

£70

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24 June 1996

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 280**

FOURTEENTH VOLUME OF SESSION 1995–96

House of Commons

Monday 24 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DUCHY OF LANCASTER

Deregulation

1. **Mr. John Marshall:** To ask the Deputy Prime Minister what discussions he had on deregulation during his recent visit to the far east. [32603]

The Deputy Prime Minister (Mr. Michael Heseltine): During my discussions with senior leaders in the far east, I emphasised the positive contribution of privatisation and deregulation to the competitiveness of the UK economy.

Mr. Marshall: Does my right hon. Friend agree that it is no mere coincidence that job opportunities have grown much more rapidly in the deregulated labour markets of the far east and north America than in continental Europe? Did he give the leaders of the economies of the far east an assurance that the Government would never adopt the job destruction measures that are inherent in the social chapter and the minimum wage?

The Deputy Prime Minister: I was able to go a little further than that because I was able to make it clear that job creation is proceeding faster in Britain than in the rest of the European Union. One of the reasons for that is the combination of deregulation and privatisation.

Mr. Derek Foster: Since returning from the far east, what discussions has the Deputy Prime Minister held about deregulation and food safety? Does he have complete confidence in the Minister of Agriculture? Does the right hon. Gentleman agree with a junior Minister in the Ministry of Agriculture, Fisheries and Food that the Minister of Agriculture will be in his job for many months to come, or does he think that the Minister is a clapped-out old milker?

The Deputy Prime Minister: I can give the right hon. Gentleman a wholly positive answer to those questions because, unlike the shadow Cabinet, the members of the Government are on extremely good terms.

Dame Elaine Kellett-Bowman: Does my right hon. Friend accept that I enormously appreciate the tremendous efforts that he has made to hack through the jungle of regulation? However, I received a communiqué from my chamber of commerce in Lancaster this morning which says that there is still too much regulation at local level. Regulations are being embroidered that should not be embroidered. Can he do something to prevent that leakage?

The Deputy Prime Minister: My hon. Friend raises one of the most important aspects of deregulation. A great deal of the concern about regulation relates to its implementation, and the varied practices of implementation, at local level. That is why she will share my pleasure that we have introduced an appeals system to give local businesses the possibility of redress in such cases.

Ministerial Visits

2. **Mr. Win Griffiths:** To ask the Deputy Prime Minister how many visits he has made to Wales since becoming Deputy Prime Minister to co-ordinate the work of his Department with the Welsh Office. [32604]

The Deputy Prime Minister: My right hon. Friend the Secretary of State for Wales and I work closely together to ensure that Wales gains full benefit from the Government's policies.

Mr. Griffiths: I assume from that answer that the Deputy Prime Minister has not visited the Welsh Office once. Is that reluctance to visit Wales due to the Government's disastrous handling of bovine spongiform encephalopathy and its impact on the rural economy, to their pathetic response to the Sea Empress disaster or to his painful experience in Wales when he baled out of the Army to fight a by-election? Does he think that a visit would improve or worsen the fourth-party, lunatic fringe standing of his party in Wales?

The Deputy Prime Minister: On balance, I think that a visit by me to Wales would be a wholly desirable event. To show the ignorance upon which the hon. Gentleman's question is based, I might say that I visited Cardiff Arms park on 23 February to announce on behalf of the Millennium Commission the rebuilding of the stadium. On 15 March, I was back again in Cardiff, Merthyr Tydfil and Llandrindod Wells to spread the good news of the transformation that the Government have made in the Welsh economy.

European Union (Policy Co-ordination)

4. **Mr. Simon Hughes:** To ask the Deputy Prime Minister what are his responsibilities in respect of co-ordinating the policy of Her Majesty's Government with other Governments in the European Union. [32607]

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): Co-ordination of policy with our European partners is a matter for individual Ministers within their respective areas of responsibility, and overall for my right hon. and learned Friend the Foreign Secretary.

Mr. Hughes: Individual Ministers may be on good terms with each other, but they are clearly responsible for causing the problem. In the past months, we have seen the Minister of Agriculture, Fisheries and Food getting into a huge hole, which the Chancellor of the Duchy of Lancaster and his colleagues have had to dig him out of. What assurance can the right hon. Gentleman give the House that, in future, we shall have a sufficiently good relationship with our European colleagues that we do not become the pariahs of the European Union, to the disadvantage, not of Ministers of the Crown, but of the people of the United Kingdom?

Mr. Freeman: My right hon. and learned Friend the Minister of Agriculture is, at this moment, participating fully in the Agriculture Council. He has done a magnificent job in defending the interests of the British farming industry and he will continue to do so. In the past four weeks of our policy of non-co-operation—which has now come to an end—we have successfully focused the minds of Ministers and Governments in the European Union. We have now reached a successful conclusion in the sense that a framework document has been agreed that will lead to an early lifting of the ban. My right hon. Friend the Prime Minister will be saying something further about the timetable at 3.30 pm.

Mr. Sykes: Do not the Germans, Spanish and Italians practise the same techniques all the time? When my right hon. Friend next goes to talk to other Governments in Europe, will he bring to their attention the dangerous provision of the 48-hour week and the fact that it was introduced into this country in a deceitful way? Will he take the same attitude towards that as he has towards beef?

Mr. Freeman: I can give my hon. Friend the assurance that, unlike the Opposition, we shall continue to fight for the national interests of the United Kingdom, which is not inconsistent with belonging to the European Union. Since the inception of the Common Market, which is now the European Union, this country has always fought for British interests, just as other countries have fought for their interests.

Mr. Mandelson: Will the right hon. Gentleman throw away the cryptic text prepared for him over the weekend that tried to dismiss the story as rubbish and answer a simple question of fact? Is there in existence a letter from the Minister of State, Foreign and Commonwealth Office to the Prime Minister criticising the Government's handling of the beef crisis and making a threat, veiled or otherwise, to resign from the Government?

Mr. Freeman: If ever there was an author of cryptic messages in party politics or Parliament, the hon. Gentleman must take the prize. The answer to the wholly erroneous newspaper story was, as my right hon. Friend the Prime Minister has said, rubbish.

Government Departments (Efficiency)

5. **Mr. Harry Greenway:** To ask the Deputy Prime Minister what plans he has to increase competition between Government Departments in respect of increasing efficiency; if he will institute suitable rewards for the most successful; and if he will make a statement. [32608]

The Parliamentary Secretary, Office of Public Service (Mr. David Willetts): The Government will continue using competition to improve the efficiency of public services. The rewards, which will be for everyone to share, are better-quality and more cost-effective services for users and improved value for money for taxpayers.

Mr. Greenway: I thank my hon. Friend for his reply, which I warmly welcome. Would it not be nice to give Departments an incentive to improve in the way that they need to, can and will? What about a few sides of good British beef for those Departments that do really well?

Mr. Willetts: I am grateful to my hon. Friend for that ingenious suggestion. Any ideas for improving the quality of public services, especially from Conservative Members, will be carefully considered.

Mr. Gunnell: If the Government are so committed to the efficiency of their Departments and believe that efficiency exists, why are the targets that have been set

for many Departments for the current year below the level of efficiency reached last year? Are the Government attempting to cook their own books?

Mr. Willetts: There is no question of cooking the books. Every year, we set targets that are credible and take account of the Department's performance in the previous year. We are always pressing for improvements on the previous year's performance.

Deregulation

6. **Mr. Nigel Evans:** To ask the Deputy Prime Minister what recent representations he has received concerning the over-regulation of small businesses. [32609]

Mr. Freeman: Earlier this year, I received over 500 letters from small businesses when I invited them to tell me what regulations were hampering their business. At the final "Your Business Matters" conference on 11 March, we announced a package of deregulation measures in response to the concerns raised. We are now continuing our contacts with businesses through a series of special deregulation seminars.

Mr. Evans: Does my right hon. Friend agree that small businesses are the backbone of this country and that we ought to do as much as we possibly can to lift burdens from them, so that they can grow and employ more people? Is he therefore as concerned as I am at the possibility of the introduction of the regulations incorporating the 48-hour directive, which would undoubtedly affect some small businesses? We did not sign up to that directive; indeed, we explicitly opted out of it. Is the Minister aware that he will have the support of the vast majority of businesses, small, medium and large, in his fight to resist the imposition of the 48-hour directive?

Mr. Freeman: My hon. Friend is absolutely right to say that small businesses would suffer greatly from the erroneous and dangerous election of a Labour Government, who would agree to qualified majority voting on the social chapter provisions of the Maastricht treaty. That would mean a great many expensive burdens on small businesses. The Opposition are by no means the friend of small businesses. It is this Government who have consistently deregulated and who will defend small and large businesses against inflexible and expensive welfare state laws.

Mr. Olner: Does not the Minister speak with forked tongue? Will he admit that, for every deregulation order that the Government have introduced in recent years, they have brought in three new regulation orders which have crippled small businesses?

Mr. Freeman: That is a travesty of the truth. Neither Labour Front Benchers nor Back Benchers have any genuine interest in the deregulation initiative, and Labour would sideline it if ever elected to government. In the past 12 months alone, we have lifted burdens from small companies by allowing more than 500,000 of them to pay VAT annually; and we have lifted the auditing burdens from another 500,000.

Mr. Anthony Coombs: Does my right hon. Friend agree with the Organisation for Economic Co-operation and Development, which found that the reasons why small businesses in this country produce so many new jobs are the deregulation and privatisation effected by the Government, and the lowering of company taxation for small businesses? Was he as nauseated as I was to see the Leader of the Opposition last week in Germany attempting to glory in the transformation of the economy that those very measures have brought about—given that he voted against every single one of them?

Mr. Freeman: I am grateful to my hon. Friend. Indeed, experience of the social market experiments in Germany and other EU countries shows how dangerous they can be, in the sense that those countries lose competitiveness. Germany's unit costs, compared with ours, have meant that time and again Germany has lost, and we have gained, inward investment. In competition with those other countries, they lose and we gain in terms of export markets.

Ministerial Visits

7. **Mr. Jamieson:** To ask the Deputy Prime Minister when he intends to visit Plymouth and the south-west of England to discuss the competitiveness of the region. [32610]

The Deputy Prime Minister: I shall be visiting the south-west to discuss competitiveness in a few weeks' time.

Mr. Jamieson: During that visit, will the Deputy Prime Minister tell us whether he agrees with the Prime Minister that there should be a grammar school in every town? Or does he agree with the Secretary of State for Education and Employment, who apparently voted to close the grammar schools in Norfolk? How will competitiveness in the south-west be enhanced by reintroducing secondary modern schools—a system that declares that 80 per cent. of children aged 11 have failed?

The Deputy Prime Minister: The hon. Gentleman has missed the point: divisions on education are not among Conservative Members; they are among Opposition Members. The Leader of the Opposition does one thing for his children and tries to stop the rest of the country doing the same for theirs.

Sir Peter Emery: When considering competitiveness in the south-west, will my right hon. Friend acknowledge the great need of businesses in the area to have their mail delivered? Although we may not always have seen eye to eye on this, it is obvious that if strikes continue to upset businesses in the south-west or anywhere else, the Post Office's monopoly will have to be broken.

The Deputy Prime Minister: I welcome my right hon. Friend to a cause on which I failed to persuade him a few months ago—it just goes to show that they all come around in the end. I am concerned, as are the Government—

Mr. Lewis: Another Tory cover-up.

The Deputy Prime Minister: I am answering the question, not the hon. Gentleman.

The House should be preoccupied with the customers—with the people who are waiting for letters, with the people who expect to get a decent service. It should not be preoccupied with the understandable, but regrettable, commitment of the Labour party to defend the unions whenever they take action that threatens the interests of the wider public.

Mr. Caborn: I convey the thanks of my right hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott) to the Deputy Prime Minister for the witty get well message that he sent to him earlier today. My right hon. Friend wants also to convey the message that it has brought a whole new meaning to hop-along deputy.

I am surprised at the answer that the Deputy Prime Minister has given about competitiveness in the south-west region. That region is now well below average in gross domestic product per capita terms. When will he set out a positive programme of regeneration for the regions, which clearly was not in his recent White Paper? I am sure that he acknowledges that regeneration will come through the regions. Will he take seriously the recent Confederation of British Industry report on the south-west, which posed a number of questions about competitiveness? Will he also take on board the recommendations of the Bruce Millan commission—which was set up by the Labour party—which has just reported on regeneration of the regions? When will we have a debate on the competitiveness White Paper?

The Deputy Prime Minister: I am grateful to the hon. Member for referring to the message that I sent to the right hon. Member for Kingston upon Hull, East (Mr. Prescott) when I received the news that he had fractured his foot and had been taken to a major hospital in the area. I hope that he gets well soon, and I am delighted that he is receiving excellent treatment in that hospital. As I pointed out to him, Tory government works.

As to the specific issue of the regeneration of the south-west, I believe that the Government are taking that matter seriously. We have asked my hon. Friend the Minister for Local Government, Housing and Urban Regeneration to take a special co-ordinating role to focus Government support. I had the opportunity to lead in the creation of the urban development corporation in Plymouth which, as hon. Members will know, made available some £41 million for the regeneration of the Royal William dockyard and its environs.

In addition, £170 million of European rural development funds have gone to Devon, Cornwall and west Somerset; £79 million has been levered in by £13.5 million of regional selective assistance; there have been £72 million-worth of projects in the south-west in the first two rounds of the single regeneration budget; and £23 million of European funds have gone to the regeneration of Plymouth. I am delighted to see the support that has been given to that by the excellent newspaper, the *Western Morning News.*

Mr. Mans: Does my right hon. Friend agree that one way to destroy competitiveness in the south-west region—or in any other region—is to introduce the minimum wage, as is suggested by the Labour party? It would result in lost orders, businesses going under and jobs being lost.

The Deputy Prime Minister: I am delighted to have another chance to refer to the right hon. Member for Kingston upon Hull, East who, on the subject of the minimum wage, referred to the loss of jobs and said, "Any fool knows that." If he knows it, it proves the point.

Parliamentary Questions

8. **Mrs. Clwyd:** To ask the Deputy Prime Minister what assessment he has made of the efficacy of parliamentary procedures relating to the answering of questions for which he has responsibility. [32611]

Mr. Willetts: My right hon. Friend has made no such assessment. My colleagues and I always try to bear in mind the injunction in "Erskine May" that answers

"should be confined to the points contained in the question, with such explanation only as renders the answer intelligible."

Although "Erskine May" adds temptingly

"a certain latitude is permitted to Ministers of the Crown",

I am sure that you, Madam Speaker, would rein us in if we strayed too far.

Mrs. Clwyd: Perhaps the Minister should move off "Erskine May" and on to the conclusions of Sir Richard Scott. Subsequent to his inquiry, he said that Parliament should not be fobbed off by blocking and inadequate answers from Ministers. Does he agree with another suggestion put forward by Sir Richard Scott—that there should be a parliamentary watchdog to ensure that Parliament is told the truth?

Mr. Willetts: The crucial responsibility is that of a Minister to the House. I believe that here in the Chamber of the House, both Opposition Members and Government Members can hold Ministers to account for the answers that they give.

Dr. Spink: May I press my hon. Friend to say how long it would take his Department to deal with questions on our economic performance including, for instance, a question about the impact of the lowest mortgage rates for 30 years?

Mr. Willetts: I congratulate my hon. Friend on the ingenuity of that supplementary. Of course, if I were invited to regale the House with the story of the British economy since 1979, I would be able to explain that we have the lowest mortgage rates for a generation and that, in the most recent economic cycle, our output per head grew more rapidly than that of any other major economy apart from Japan.

Scott Inquiry

9. **Mr. Dalyell:** To ask the Deputy Prime Minister what assessment he has made of the implications for the policy of open government of the evidence on parliamentary answers given by Sir Michael Quinlan to the Scott inquiry. [32612]

Mr. Freeman: The adversarial nature of Question Time does not detract from the Government's commitment to be as open as possible with Parliament and the public.

Mr. Dalyell: Why has the Deputy Prime Minister funked answering the question himself?

Mr. Freeman: I am sorry that the hon. Gentleman is not content. I am the Minister responsible not only for the

code of conduct but for the rules that apply to all Ministers when they answer to Parliament. I am the Minister with day-to-day responsibility for the civil service and I have answered the debates on both Nolan and Scott. If the hon. Gentleman had wanted to ask a supplementary, I would have willingly replied in—I hope—a constructive fashion.

Mr. Dalyell: So, may I have a supplementary?

Madam Speaker: No. The hon. Gentleman had a supplementary and I thought it was perfectly proper.

Magistrates (Bolton)

10. **Mr. Thurnham:** To ask the Chancellor of the Duchy of Lancaster what representations he has received about the recruitment and working conditions of magistrates in Bolton. [32613]

Mr. Freeman: I approved the appointment of 18 persons to the Bolton bench earlier this year, following recommendations from my advisory committee in Bolton. The working conditions of magistrates in Bolton are a matter for my hon. Friend the Parliamentary Secretary, Lord Chancellor's Department.

Mr. Thurnham: Is the Chancellor aware of how strongly people in Bolton feel about the need for a new magistrates court? Will he press his colleagues in the Lord Chancellor's Department and the Treasury to give an immediate go-ahead to that important contract, which was so unfairly stopped?

Mr. Freeman: The hon. Gentleman refers to the buildings in Bolton that house the magistrates courts, which date from the 1930s. As I understand the situation from the Lord Chancellor's Department, a private finance initiative proposal is on the table. I give my assurance to the hon. Gentleman and to the House that I will investigate the status of that proposal and convey to the Lord Chancellor and to my hon. Friend the Parliamentary Secretary not only the hon. Gentleman's concern but my interest.

Government Policies (Promotion)

12. **Mr. Winnick:** To ask the Deputy Prime Minister what assessment he has made of the effectiveness of his Department in promoting Government policies. [32615]

Mr. Willetts: The results of the fundamental expenditure review of the Office of Public Service have been published. The effectiveness of the Department is kept under review through MINIS—the ministerial information system.

Mr. Winnick: Can the Minister explain why the Government have the lowest opinion poll ratings of all time, are incapable of winning any by-elections and have done dismally at local elections? Would not it be wise for the Prime Minister to summon up enough courage to call an autumn election? If he is speculating about doing that, as we are told in the press, why does not he pluck up the courage, call it and let the people decide?

Mr. Willetts: My party won two local authority by-elections last Thursday. We had a successful conclusion to the European Commission's proposals on beef at the European summit and we shall publish an exciting White Paper on education tomorrow. In due course, we shall put our policies to the electorate.

Ministerial Responsibilities

13. **Mr. Jacques Arnold:** To ask the Deputy Prime Minister what was the principal Government policy with which he was concerned in the week beginning 17 June. [32616]

The Deputy Prime Minister: I have continued to work on a full range of those Government policies for which I am responsible.

Mr. Arnold: In view of the callous bombing in Manchester recently, I welcome the visit that my right hon. Friend intends to make to that city. Will he ensure that every arm of Government rallies around Manchester to help it to recover fully from that outrage?

The Deputy Prime Minister: I am extremely grateful to my hon. Friend for asking that question. The Prime Minister has asked me to go to Manchester on Wednesday this week, and I shall do so. I hope to meet with civic and private sector leaders in order to ensure that the Government's resources are used effectively wherever appropriate. If those resources can be co-ordinated better in dealing with the horrendous consequences of that dastardly act, the Government will have done all that is proper in the circumstances.

Mr. Lewis: When the right hon. Gentleman visits Manchester on Wednesday, will he meet small business people from the Corn Exchange and the Royal Exchange complexes? Small businesses have suffered huge financial losses in the past week and some business people cannot access the buildings to see what stock they have left. I am afraid that insurance companies are already ducking and diving about insurance matters. When the right hon. Gentleman visits Manchester, I ask him to meet those people and to not go empty-handed.

The Deputy Prime Minister: I shall go with the intention of meeting as wide a representation of the community as I can during what, by definition, must be a limited visit. I expect to see representatives of small and medium companies. The first stage is to visit the city, to listen to the people and to take stock of the situation. That is obviously what my right hon. Friend the Prime Minister wants me to do before I report back to him.

Millennium Exhibition

14. **Mr. Spearing:** To ask the Deputy Prime Minister what part he has played in the planning of a millennium exhibition. [32617]

The Deputy Prime Minister: As a member of the Millennium Commission, I have taken part in numerous discussions about the exhibition. Over the past month, I have been working with Sir Peter Levene, who was asked by the commission to advise members on the commercial soundness and practical feasibility of proposals. There is now significant private sector support

for the plans and, as the chairman of the commission announced last week, the exhibition is going ahead at Greenwich.

Mr. Spearing: Is the Deputy Prime Minister aware that, when I asked the Secretary of State for National Heritage on Friday what recent decisions she had made about the exhibition, she replied that she would answer as soon as possible? As the Deputy Prime Minister is a member of the commission, is he aware of my suggestions of some weeks ago that we celebrate the millennium on both a regional and a national basis? Greenwich is the originator of mean time and young people should be encouraged to look towards 2051 to see how we could implement nationally and internationally the purposes and the aims of the United Nations charter. Is it too late for that sort of vision to be incorporated in the mess that now confronts the country?

The Deputy Prime Minister: I am sorry that the hon. Gentleman should describe the millennium festival in that manner. All parties welcome the fact that the country proposes to stage what appears to be the largest event of its sort in the world. Its purpose is to show Britain at its best as it faces the new century, and I hope that that spirit will be adopted by all. It is not a party political event—a Labour party representative is a member of the Millennium Commission and I welcome the statements emanating from the Labour party in support of it. My fellow commissioners and I are working with the private sector to ensure that there is the widest possible manifestation of support from that sector. We are in the business of projecting the excellence of this country into the next century, and we all have an interest in that.

Mr. Congdon: I welcome the efforts that have been made to secure the millennium exhibition for Greenwich, and in particular, the work of my right hon. Friend in helping to bring that about. What steps will be taken to ensure that there are long-term benefits from the regeneration of that important site in Greenwich?

The Deputy Prime Minister: My hon. Friend asks an important question which is much in the minds of Millennium Commission members. I have visited many regeneration projects in many cities. When projects begin, it is extremely difficult to predict how the regeneration process will develop as confidence builds. It is dangerous to try to forecast some dramatic scheme that is devised by planners and politicians on the basis of wishful thinking rather than on a factual assessment. That could choke the spontaneous working of the market, which can encourage a degree of confidence and produce a range of proposals that were not envisaged by the originators of the scheme. It is difficult to strike a balance, but we shall do what we can to ensure the most imaginative use of the site in the longer term. However, the Millennium Commission is responsible for organising the festival.

Florence Summit

15. **Mr. Alan W. Williams:** To ask the Deputy Prime Minister what contribution he has made to the promotion of Government policy in respect of the Florence summit; and if he will make a statement. [32619]

The Deputy Prime Minister: The Prime Minister will make a statement to the House on the Florence European Council today.

Mr. Williams: The Deputy Prime Minister will accept that farmers in my constituency are not exactly dancing with delight at the result of the Florence summit. An extra 100,000 cattle are to be slaughtered, 95 per cent. of which have no traces of bovine spongiform encephalopathy, in exchange for a framework agreement without a timetable. What part did the right hon. Gentleman play in this humiliating climbdown for Britain in Europe?

The Deputy Prime Minister: The hon. Gentleman knows perfectly well that the Prime Minister's achievements at the Florence summit exceeded all expectations. It is not for me to anticipate my right hon. Friend's statement, but I can say that the thing most likely to prejudice the summit's successful outcome was the Leader of the Opposition telling the Germans what they wanted to hear before the summit, at the expense of British self-interest.

OVERSEAS DEVELOPMENT

International Debt

27. **Mr. Spearing:** To ask the Secretary of State for Foreign and Commonwealth Affairs what studies his Department has (a) commissioned and (b) evaluated of international debt as a factor in civil instability or conflict. [32634]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): We have no reason to believe that debt burdens have led to civil conflict, but there is a good deal of evidence to link economic problems with the breakdown of civil order. That is why we encourage Governments to implement sound policies that promote stable economic growth.

Mr. Spearing: Does the Minister agree—indeed, do the Government agree—that, in certain circumstances, debt can be a most potent, although hidden, form of slavery? Has his attention been drawn to the report of the Debt Crisis Network, appendix 2 and 3 of which point out that the conditions imposed on Rwanda and the former Yugoslavia by the International Monetary Fund were factors in exacerbating regional and ethnic differences, which contributed to the atrocities of which we are only too well aware? Will the Minister therefore send those appendices to the IMF, request the responses of our representative at the IMF and of its president and place their report and his own observations on it in the Library?

Mr. Hanley: I am grateful to the hon. Gentleman for his question, but I am not aware of the appendices to which he refers. If he will send them to me, I will study them and place my reply in the Library. Debt is only one of a number of factors that force Governments to spend less on social services and cause other problems. The primary cause of problems in countries with high debt is poor budget prioritisation and long-term economic mismanagement, leading to weak or negative economic growth. I am sure that the debt problem in the countries

to which the hon. Gentleman referred was not one of the prime causes for the serious disasters from which they have suffered; in many countries, rapid population growth and weak public sector management are other factors. The important thing is to recover and to use debt sensibly, and I am proud of this nation's record of turning debt into aid and of forgiving debt.

Sir Jim Lester: Is that not all the more reason why we should continue to support the British Government and particularly the Chancellor of the Exchequer in his efforts to relieve multilateral debt in negotiations with the IMF and the World bank? The president of the World bank will attend a meeting in the House next week, at which, I hope, the positive steps for which we have all worked will be taken to anticipate and ease the problems of countries where multilateral debt is a severe restriction on the future.

Mr. Hanley: I agree very much with my hon. Friend. The British Government have written off the aid debts of 31 of the world's poorest countries: a total of £1.2 billion has been written off. All our aid to the poorest countries is now on grant terms so that their debt burden is not increased, and we have taken the lead in pressing for solutions to that burden.

The official bilateral debt of the poorest countries is now being rescheduled on Naples terms, and 18 countries have benefited so far. Last month, creditors wrote off some $500 million, more than 50 per cent. of Guyana's official bilateral debt. My hon. Friend referred, however, specifically to multilateral debt. The British Government have also taken the lead in pressing for more action on that, and significant progress has been made on agreeing a framework for action. We hope that progress at this week's G7 summit will lead to agreed measures later this year.

Miss Lestor: Although the recent increase in private sector investment in developing countries is welcome, it is not reaching the poorest African countries. As my hon. Friend the Member for Newham, South (Mr. Spearing) pointed out, those countries need urgent debt relief measures and high-quality assistance if they are to avoid some of the results and repercussions of debt. Bearing it in mind that the World bank itself has said that without debt reduction foreign investment will be discouraged, what plans has the ODA to rescue sub-Saharan Africa from its crippling debt problems? Will it discuss the matter with the IMF and the World bank?

Whatever the Government's record may be on trying to alleviate debt, some of the poorest countries are still suffering enormously from the burden that they carry. We need action now, not in a few years' time.

Mr. Hanley: I do not entirely agree. As the hon. Lady knows, Britain's aid programme is substantial, and is increasingly focused on the poorest countries in Africa and south Asia where the needs are greatest. We certainly do not ignore the countries of sub-Saharan Africa. In Africa, support for economic reform and social sectors remains a high priority. Our aid is concentrated on the poorest nations, and Africa benefits from that.

Angola

28. **Mr. Hunter:** To ask the Secretary of State for Foreign and Commonwealth Affairs how much (a) bilateral and (b) multilateral assistance the Government (i) gave in 1995–96 and (ii) plan to give in 1996–97 to Angola. [32635]

Mr. Hanley: Provisional bilateral outturn for 1995-96 was some £12 million; our share of the multilateral EC figure for 1994 was approximately £5 million. The 1996-97 bilateral commitments for Angola currently total some £9 million. Angola's allocation under the seventh European development fund was 115 million ecu; the United Kingdom's share is £15 million. That for EDF 8, which is to run from 1996 to 2000, is now under discussion, but our share will be 12.7 per cent.

Mr. Hunter: The successful implementation of the Lusaka protocol depends largely on the success of the United Nations-monitored quartering process. Does my right hon. Friend share the concern that overcrowding in the camps, deteriorating health conditions and sanitation and a decline in the quality of food supplies are undermining that process? If so, will the Government take steps to ensure that the UN and other agencies address the problems?

Mr. Hanley: My hon. Friend is absolutely right. I am grateful for his concern for Angola, and for the steps that are helping to improve confidence there.

Progress in the peace process is frustratingly slow, but we are encouraged by recent movement. I hope that the quartering of UNITA will be completed without further delay so that work can begin on the formation of a unified army and then a Government of national unity and reconciliation. Fourteen quartering areas have been established to receive troops, but I am disappointed that the rate of quartering has not been faster. I am concerned about the quality of many of those that have been quartered, and about the quantity of weapons being handed in.

There are concerns about the conditions in some quartering areas. Undoubtedly it is a formidable logistical task for UNAVEM—the United Nations Angola Verification Mission III—but the emphasis must be on the Government of Angola and UNITA co-operating with UNAVEM to make the operation a success, rather than exploiting the difficulties as an excuse not to fulfil their obligations.

Turkey

29. **Mrs. Clwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment has been made by the United Kingdom, in conjunction with the EU and the UN Commission on Human Rights, of the human rights record of the Turkish Government in respect of their eligibility for development assistance. [32636]

Mr. Hanley: The United Kingdom and our European Union partners regularly raise human rights issues with the Turkish Government, in the context of the EU's financial assistance programme for Turkey and in the wider political and trade relationship. In bilateral contacts and at the UN Commission on Human Rights, the EU has made it clear to Turkey that this assistance is conditional on Turkey's continuing commitment to principles of democracy and basic human rights.

Mrs. Clwyd: If that is so, will the Minister confirm that he has read the latest Amnesty International report on

human rights in Turkey, which makes absolutely appalling reading? It shows that Kurdish prisoners are ill treated and tortured, and that Kurds are generally treated as third-rate citizens in their own country. How will this affect relations between this country and Turkey, let alone between the European Union and Turkey? I hope that the Minister will answer my question directly.

Mr. Hanley: It is important to set concerns about human rights in Turkey in a broader context. We want Turkey to be firmly anchored to western institutions, because the closer Turkey is to western institutions the better we are able to express our concerns about human rights and the more influence we can bring to bear. Co-operation is a more effective approach than confrontation. We do not believe that linkage of human rights with, for example, bilateral aid or economic trade is productive. Moreover, the atrocities in Turkey are not on only one side. We deplore any breach of human rights, whether it is committed by the PKK or by the Turkish Government.

Mr. Simon Hughes: Why will not the Government make it clear to Turkey that Greek Cypriot citizens in northern Cyprus will not have any human rights until Turkey withdraws its troops and allows them the democratic right to reclaim and to vote for their Government and to discover whether people who have disappeared are alive or dead? It is a very simple issue: why have the Government been so pathetic about it for 22 years?

Mr. Hanley: It is a simple issue, and one about which I feel very strongly, but it has nothing to do with this question. The hon. Gentleman's question is a responsibility not of the Overseas Development Administration but of the Foreign Office. I hope that he will table such a question to it.

Child Labour

30. **Mr. MacShane:** To ask the Secretary of State for Foreign and Commonwealth Affairs what financial assistance he is providing in 1996–97 to organisations working to eradicate child labour in developing countries. [32637]

Mr. Hanley: We give considerable assistance to organisations that adopt an integrated approach to children's issues, but it is not possible to provide the exact amounts spent on the problem of child labour. However, we encourage a range of initiatives and engage in policy exchange.

Mr. MacShane: I thank the Minister for his answer. I find it quite appalling that the British Government are the only Government who cannot put a figure on the help that they provide to eradicate child labour around the world. Is the Minister aware that child labour is increasing and that it is a major international issue? Other countries in the Organisation for Economic Co-operation and Development want the issue to be raised at the International Labour Organisation and to be banned. Will he ask the Prime Minister—who gave a disgraceful reply to a question on this issue last Thursday—not to turn a Nelsonian blind eye to child labour, but to instruct our officials everywhere to join the campaign to eradicate this monstrous practice?

Mr. Hanley: The hon. Gentlemen is being extremely unfair in saying that we are the only nation that cannot identify how much we spend on the problem of child labour. He has made a wicked suggestion. He knows full well that when we give money to non-governmental organisations we do not necessarily know exactly how much they will choose to spend on the problem of child labour. Under our aid programme, we give generously to a number of organisations. What I have said is accurate: we cannot disaggregate the figures, so I cannot give him an accurate answer about the exact amount that is spent on child labour. I can tell him, however, that we deplore child labour. We deplore any form of child labour, whether the type of labour is bonded—

Mr. Campbell-Savours: Come on.

Mr. Hanley: The hon. Gentleman is becoming impatient to reach his question, which appears later on the Order Paper. He has been badgering me throughout this Question Time because he wants to ask his question. I hope that I may be allowed to answer the other questions; we will then reach his question.

We urge Governments to take all necessary measures to eliminate all extreme forms of child labour, including forced and bonded labour. The UK has urged all countries to ratify the international covenant on civil and political rights, which provides that slavery and the slave trade in all their forms shall be prohibited. I am proud of what the Government are doing about this issue.

Mr. Jacques Arnold: Far from turning a Nelsonian blind eye to the problems of child labour and of street children, did not my right hon. Friend the Prime Minister, when in Rio de Janeiro for the earth summit, specifically visit a home that takes street children off the streets and educates and trains them for a constructive future? *[Interruption.]* If the hon. Member for Bolsover (Mr. Skinner) did not know that, he should have done so.

Mr. Hanley: My hon. Friend is absolutely right. The Government's record on trying to eradicate child labour in its extreme forms is well known. I am grateful to my hon. Friend for making that point.

Papua New Guinea

31. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what aid is given in respect of preserving the rain forest in Papua New Guinea. [32638]

Mr. Hanley: Since 1993, we have provided assistance to 13 projects designed to help to preserve Papua New Guinea's rain forests. I will write to the hon. Gentleman with the details of the projects and place a copy in the Library. I should hate to read out all 13 projects because the hon. Member for Workington (Mr. Campbell-Savours) might not have time to ask his question.

Mr. Dalyell: Are those projects geared to sustainable development? Do they take account of the appalling river pollution from gold mining?

Mr. Hanley: We certainly concentrate on sustainable development. Since 1993, we have committed £120,000 to the 13 schemes and £70,000 for NGO projects that are financed partly from the ODA's joint funding scheme. I understand the hon. Gentleman's point about the outflow from the Lihir gold mine and other industrial projects. We must balance sustainable development and timber production with industrial improvements in Papua New Guinea.

PUBLIC ACCOUNTS COMMISSION

National Audit Office

35. **Mr. John Marshall:** To ask the Chairman of the Public Accounts Commission how many economists are employed by the National Audit Office. [32643]

Sir Peter Hordern (Chairman of the Public Accounts Commission): The National Audit Office employs about 520 staff who have accountancy qualifications or are training for them. Of those, 69 staff have degrees in economics, although none is currently a full-time professional economist. When specialised advice is needed, the NAO would normally use external experts with a relevant economics background.

Mr. Marshall: Would my right hon. Friend be willing to second some National Audit Office staff to the European Commission to tackle the problem of fraud that seems endemic in the operation of the common agricultural policy?

Sir Peter Hordern: My hon. Friend makes an interesting point. I shall certainly convey it to the Comptroller and Auditor General, who frequently consults his counterparts in other European countries and in the European Court of Auditors. It will not be lost on my hon. Friend that one good reason for taking pleasure from the Florence summit is precisely that the Commission will be given more powers to make spot checks, to establish where fraud has been committed and to act.

Mr. Rooker: Would not the NAO's expert staff be better deployed on investigating the Millennium Commission's scandalous decision to site the millennium exhibition at Greenwich, despite the fact that all the financial information available shows that the bid will not work and will waste public money and despite the presence of a suitable alternative in the midlands?

Sir Peter Hordern: I cannot comment on the merits of that matter, but if the hon. Gentleman will write to me or the Comptroller and Auditor General, I am sure that it will be investigated.

Sir Michael Shersby: Is my right hon. Friend aware that last week members of the Public Accounts Committee visited the European Court of Auditors? That was the first visit since my right hon. Friend and his colleagues, who were then members of the PAC, visited the court 15 years ago. We had extensive discussions about fraud and were informed of progress in dealing with that difficult problem. Does my right hon. Friend agree that we should not dilute the considerable power and influence of the National Audit Office by seconding more than the eight staff who are currently at the European Court of Auditors but that we should continue our discussions with the court to crack this difficult problem?

Sir Peter Hordern: I am quite sure that my hon. Friend is correct. The House is indebted to the PAC and its Chairman for their excellent work in producing the reports. I wish only that public accounts committees in other European countries were as assiduous in establishing where fraud is and in doing something about it.

OVERSEAS DEVELOPMENT

Former Soviet Union

32. **Mr. Campbell-Savours:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to fund food and distribution projects in the former Soviet Union. [32639]

Mr. Hanley: The know-how fund will continue to give high priority to projects in support of food sector reform. Last year, some 16.1 per cent., or £4.18 million, of know-how fund assistance was devoted to food sector projects. In addition, we have provided more than £1 million in bilateral food aid to countries in the former Soviet Union.

Mr. Campbell-Savours: I hope that the Minister will forgive me for being a little impetuous earlier. Will he set up an inquiry into overcharging by Arthur Andersen for fees and accommodation in respect of the food distribution contract that it held under the know-how fund in Moscow about two years ago?

Mr. Hanley: I am glad that the hon. Gentleman asked that question. Just in case he should ask, I have done some research, which shows that, as far as I am aware, there is no Campbell's Soups factory in the former Soviet Union. He was referring to the Moscow bread project—a large know-how fund operation. Costs were shared with a consortium of private sector companies led by Andersen Consulting. I believe that it was an excellent example of partnership between the Government and the private sector. It trained 634 retail shop managers and provided on-site support. Multiple benefits were derived from the support of the know-how fund. If the hon. Gentleman has any evidence of overcharging and of costs falling against the British taxpayer, I should be most grateful if he would give it to me chapter and verse. I assure him that the matter will be investigated.

CHURCH COMMISSIONERS

Clergy (Theological Studies)

36. **Mr. Harry Greenway:** To ask the right hon. Member for Selby, representing the Church Commissioners, what plans the Church Commissioners

have to supplement the pay of bishops and clergy to allow them more time for theological studies; and if he will make a statement. [32602]

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): Stipends for bishops and the parochial clergy are based on the concept of adequacy in relation to duty. The extent of theological training before ordination and the time that clergy should spend in theological study afterwards are not matters for which the Church Commissioners are responsible.

Mr. Greenway: Is my right hon. Friend aware of the frequency with which some bishops make deplorable political speeches, comments and sermons? Would it not be better if they stuck to theology and religion and forgot about politics? In particular, would not more satisfactory theological training and teaching discourage them from devastating the Lord's Prayer, as some have proposed?

Mr. Alison: It would probably be a retrograde step if we once again sought to interweave theology with politics, as happened at the time of the Reformation, so I take my hon. Friend's advice with a considerable pinch of salt.

OVERSEAS DEVELOPMENT

Former Soviet Bloc

33. **Mr. Llwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is being offered to former Soviet bloc countries from the know-how fund in the current year; and if he will make a statement. [32641]

Mr. Hanley: Planned assistance for central and eastern Europe and central Asia through the know-how fund in the current financial year is £82 million.

Mr. Llwyd: I thank the Minister for that reply. Last November, I had the good fortune to visit Belarus and the Ukraine. What assistance is being given to the Ukraine, given its worsening economic circumstances?

Mr. Hanley: The hon. Gentleman asks a rather specific question. The know-how fund has helped to privatise retail food outlets in Kiev. It is now helping the new owners to set up a retailers association to strengthen their bargaining power. I shall give the hon. Gentleman a fuller answer in writing, including some of the figures, and place a copy of my letter in the Library.

Burma

34. **Ms Glenda Jackson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on aid to Burma. [32642]

Mr. Hanley: Since 1992-93 we have provided about £630,000 in humanitarian aid for Burmese refugees in neighbouring countries. In December 1995, we contributed £1.1 million to a joint UNHCR/World Food Programme appeal for a voluntary repatriation programme. Like other EU countries, in 1988 we suspended non-humanitarian official aid, and that remains the position.

Ms Jackson: I thank the Minister for that reply. Does it mean that Her Majesty's Government will pay rather closer attention to the calls emanating from Aung San Suu Kyi for no encouragement of any business interest in Burma until a more democratic form of government is returned and the harassment of her and her party is ended?

Mr. Hanley: I assure the hon. Lady that we have very close contact with Aung San Suu Kyi. We have explained our policy to her on many occasions. It is to press for real reform—economic and political—that will bring the changes that are so desperately needed by all Burma's people. She is a remarkable lady and I assure the hon. Lady that we take careful note of whatever Aung San Suu Kyi says.

European Council, Florence

3.30 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I shall make a statement on the meeting of the European Council in Florence on 21 and 22 June, which I attended with my right hon. and learned Friends the Foreign Secretary and Chancellor of the Exchequer and the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Boothferry (Mr. Davis). I have placed the conclusions of the Council in the Library. I shall deal first with beef, then with the other issues discussed.

In my statement on 21 May, I shared with the House the Government's frustration that, two months after an unjustified ban on our beef exports had been imposed, some member states were still unwilling to address on a rational, scientific basis a clear path to lift the ban. I accordingly announced a policy of non-co-operation until two specific objectives had been achieved: the lifting of the ban on beef derivatives and agreement on a clear framework leading to lifting of the wider ban. In accordance with that policy, we subsequently blocked 74 decisions that required the unanimous approval of member states.

The first objective was achieved on 10 June, when the ban on beef derivatives was lifted. That was followed on 19 June by unanimous approval of our bovine spongiform encephalopathy eradication plan by the Standing Veterinary Committee. In Florence on 21 June, the second objective was achieved when the European Council unanimously accepted the framework and procedures put forward by the Commission for lifting of the wider ban, which were based closely on our proposals. Both objectives were secured in precisely one month. I have no doubt that the policy that we reluctantly adopted was the decisive factor in ensuring that result in such a short space of time.

The framework sets out steps for lifting the ban in stages. The Florence conclusions make it clear that decisions on each stage will be taken

"only and exclusively on the basis of public health and objective scientific criteria and of the judgement of the Commission".

That is what we insisted upon above all. I was therefore able to lift our non-co-operation policy once the framework had been agreed. It is now up to us to meet the conditions for lifting the ban set out in the framework. There are five stages for that.

We aim to be in a position to tell the Commission by October that we have met the necessary conditions for decisions to lift the ban on two of the five stages—that is, certified herds and animals born after a specified date and their meat. That is subject in particular to clearance of the backlog of animals awaiting slaughter in the 30-month-plus scheme, and a start to the accelerated slaughter of cattle particularly at risk of developing BSE.

Removal of the ban in those two areas would reopen to our industry an export market worth initially about £100 million a year, increasing rapidly thereafter as the certified herds scheme gains momentum. Also by October, I expect a Commission proposal on a third stage—embryos—subject to the scientists giving them a clean bill of health. I believe that we should have met the conditions necessary for a decision to lift the ban on the fourth stage—meat from all animals under 30 months—by November.

Securing agreement on those steps would restore the position on beef exports to what it was before 27 March, except in the areas where we have prohibited sale in the UK. In other words, we would be in a position of being able to sell for export to the EU young animals and all the beef that could then be sold in the UK. That would open the way for exports worth some £530 million per year. The only remaining category is meat from animals over 30 months except, of course—as I indicated to the House a moment ago—for that from certified herds, which should be lifted in October. Meat from animals over 30 months is still banned in the UK because of the greater incidence of BSE in older animals.

The targets that we have set are ambitious. It is now up to us in this country—the farming and ancillary industries and the Government—to ensure that we meet them. The point is that this timetable is essentially in our hands. When we have met the conditions, the normal procedures for such decisions, involving the Standing Veterinary Committee in particular, will apply. But we have the firm commitment from all Heads of Government in Florence that those decisions will be taken only on the basis of scientific and objective criteria.

One aspect not adequately covered in the Commission framework is the early export of British beef to third countries. That was complicated in the minds of our partners by their concerns about the possibility of re-export to the EU, and by the European Court of Justice case against the Commission. We believe that our case against the ban on exports to third countries is particularly strong, and our court application for interim relief should be decided in the next few days.

We none the less secured a presidency statement—accepted, it has to be said, reluctantly by the other member states and the Commission—that the Commission will consider individual requests from third countries to buy British beef exclusively for their domestic markets. If such requests come forward soon, I hope that, either through Commission procedures or the European Court case, exports from Britain to third countries will begin to flow.

We have a lot to do in a short time to meet the conditions necessary to enable the EU and world markets to be fully open again. But I believe that we have taken a great step forward in the past few days. We shall go on doing everything possible to protect public health, restore consumer confidence and secure the interests of the British beef industry. Our overriding aim remains, as it has been from the start, the eradication of BSE from Britain.

Let me now refer briefly to the other main issues discussed in Florence—the intergovernmental conference, employment, economic and monetary union and the Europol convention.

The European Council agreed that the intergovernmental conference should now turn from analysis to negotiation. We need to move from exchanging ideas to considering texts. I was therefore happy to lead the call for an outline treaty text to be prepared in time for the Dublin European Council in December. The Government's position on the substance remains as set out in the White Paper, "A Partnership of Nations". In Florence, I set out once again our policies in key areas such as qualified majority voting, and the need for flexibility as the EU further enlarges.

[The Prime Minister]

We also discussed employment. At the Essen European Council in 1994, we agreed an approach that recognised the primacy of action by member states and recommended a number of lines of action reflecting this Government's approach. In Florence, the European Council confirmed the priority attached to tackling unemployment and agreed to carry forward the Essen approach, taking account of the initiative taken by the President of the Commission on a confidence pact for employment. There are some good things in this document, but others that we cannot accept.

Unemployment in this country is now the lowest of any major European competitor. We have created more jobs over the past three years than Germany, France, Italy and Spain—indeed, we have created more than Germany, France, Italy and Spain added together. That is because we have followed policies that help job creation. That is why we will not sign the Maastricht social chapter or accept European Union measures that would damage competitiveness or inhibit our ability to pursue our own successful policies.

Florence was not a decisive stage in discussions on economic and monetary union. The European Council considered a report from Economic and Finance Ministers on work done since Madrid. That included the relationship between those inside and those outside any potential future single currency. It covered the proposal to create a new exchange rate mechanism. Most of our partners favour creating such arrangements. Let me assure the House that it has been confirmed that any new scheme of that sort will be voluntary, and I reaffirm that this country will not rejoin any new ERM.

The European Council also reached agreement on the role of the European Court of Justice in the Europol convention. I said at the Cannes European Council that the ECJ would not be the arbiter in any case relating to Europol which involved the United Kingdom Government or arose in the courts of the UK. Other member states saw a need for a role for the ECJ on questions of interpretation of the convention arising in their national courts.

The outcome allows other member states the option of providing such a role for the ECJ for themselves. The United Kingdom and our courts will not be bound by that in any way. That is a satisfactory outcome and a further example of the EU developing in flexible ways.

Finally, the European Council confirmed that enlargement negotiations with central European countries should open at the same time as with Cyprus and Malta—that is, six months after the intergovernmental conference ends. It also agreed a number of statements on external issues, the most important of which were on the middle east and Russia.

The Florence European Council marked a decisive turning point in our efforts to protect the interests of the hundreds of thousands of people working in the British beef industry. The issue will now be dealt with on a proper, rational basis, with the timetable for the lifting of the ban dependent on our own efforts. That has enabled the restoration of normal business in the European Union.

This has been a difficult episode in this country's relationship with Europe and not one that I was seeking. We were right to stand up for our interests, but I now look forward to working with our partners on our positive vision of Europe as a strong partnership of nations.

Mr. Tony Blair (Sedgefield): I shall confine my remarks mainly to beef. First, on dates, the Prime Minister chose his words with elaborate care. Can we be clear as to what he is saying? Is he saying that he can give dates and that the ban will finally go in total in November?

Some Conservative Members are now shaking their heads, but that was the clear impression—they are now all shaking their heads, but if one was listening to the Prime Minister, that was the impression—[HON. MEMBERS: "The right hon. Gentleman was not listening."] I was listening.

If the Prime Minister is now saying that those are definite dates, why were they not in the European Union agreement? I suspect—perhaps he will confirm this—that all that he is really saying is that he will table proposals by October and November, but the decision will be taken through the process of the veterinary committee, inspection, verification and so on.

So, can we return to the question that we have consistently asked the right hon. Gentleman? When will the ban finally be lifted, so that people in Europe can eat British beef under the same conditions as people in Britain?

Secondly, will the Prime Minister confirm that—again, contrary to the impression that he sought to give—there is no automatic link under the agreement between the steps that Britain must take and steps towards lifting the ban? We are obliged to do certain things in Britain, but other member states are simply obliged to follow certain procedures. There is no binding agreement on them, merely an agreement to consider. As for stating that he has won an undertaking that they would refuse consent only on scientific grounds, is not the committee that we have to satisfy the very same veterinary committee with which we had the problems in the first place? It has always ostensibly said that it was acting on scientific grounds; it has never said that it was acting on political grounds. The Prime Minister is no further forward on that.

If the basis is supposed now to be science, why have we agreed to a massive additional slaughter policy when we say that it is not scientifically justified? I suspect that the principal changes that the Prime Minister got were made once the British Government had submitted a programme for eradicating BSE and taken it round the European capitals—which, frankly, is something that they should have done a couple of months before.

Thirdly, as for the much vaunted concession on the third country ban, I agree that the ban is completely unjustified, but will the Prime Minister confirm: that it is only an undertaking from the Italian presidency and not an undertaking from the European Union; that it has no legal force; and that within minutes of it being given, a Commission official said:

"it didn't commit the Commission to anything"?

Foreign Ministers have said that the third country ban will remain. Is that right or not?

Fourthly, will the Prime Minister confirm that the extra compensation at Florence was for all European Union farmers and that British farmers will see only a small part

of it? Will he confirm also that this country's bill, net of European Union payments, for the BSE crisis will be well in excess of £2 billion in the years to come? Is that not the price that the British people will pay for the utter incompetence with which the matter has been handled from the very beginning: the failure to intervene in the way necessary when BSE began; the failure to compensate and inform farmers when the crisis was under way; the failure to announce the link with Creutzfeldt-Jakob disease, with proper consultation; and now the failure to secure the lifting of the ban once one was imposed?

The Whitehall farce even continued at Florence, where we had the spectacle of the Government trying to hang on to one Minister who was threatening to resign and hanging the poor Minister of Agriculture out to dry to try to get him to resign. [HON. MEMBERS: "Where is he?"] There appears to be a notable absentee from our deliberations.

This has been an object lesson in the Government's capacity to turn any crisis into a catastrophe. The truth is that whatever fig leaf the Prime Minister has today, the damage will be with this country for many years to come.

The Prime Minister: The right hon. Gentleman has just illustrated that he is not interested in what is right for this country. In this House, he claimed to support our policy of non-co-operation because he did not have the guts to criticise it. In Germany, he criticised British policy because he did not have the guts to defend it. He has spent half his time claiming that we have been too hard in our relations with Europe, and then jumped to the other side of the fence and claimed that we have been too soft. He has invented objectives that we did not set and then criticised us for not meeting them. It is my job to look after the interests of the British beef industry, and despite his obstruction and his determination to do anything or say anything, irrespective of the damage to the beef industry, in his own interests, that is precisely what I have done.

Let me reiterate the points that were clearly made in my statement, which the right hon. Gentleman then asked about again, having failed to understand them. First, there is no massive additional slaughter policy, as I have explained to him repeatedly on many occasions. I hope that he now fully understands that. On the mechanism for the future, the great new European is effectively saying that he distrusts the word given to Britain by the European Heads of Government and by the European Commission. He distrusts it, despite all that he has said. Let us be clear about what he is about.

Let me deal with some of the other points. As I explained repeatedly in my statement, we have set out what we sought at the outset: objective criteria that we can meet in order that the ban can be lifted. The dates for lifting therefore lie in the hands of the British agriculture industry and the British Government; I have set out the dates by which we think that they will be met on each and every part of the agreement over the past few minutes. It is a shame that the right hon. Member for Sedgefield (Mr. Blair) failed to understand that. *[Interruption.]* I invite hon. Members to read the statement when it is printed in *Hansard* tomorrow; if they did not understand it when I made it, perhaps they will understand it when they read it.

We sought an agreement that that matter would be dealt with objectively, without politically blocking the correct scientific judgment. That is what has happened in the past; that is the political commitment that we have achieved; that is the commitment that we expect our partners to meet.

Mr. Douglas Hurd (Witney): Given that the Government adopted a legitimate, even familiar, tactic for a specific and limited objective that they have now obtained, will my right hon. Friend the Prime Minister take no notice of the Leader of the Opposition's confused mischief making? Does my right hon. Friend accept that the best service that the House, particularly we on the Conservative Benches, can do in the difficult times that lie ahead is to take what may be the last chance in this Parliament to give united and effective support for the policy which my right hon. Friend set out last week and which is also set out in the Foreign Secretary's White Paper, published in the spring?

The Prime Minister: I am grateful to my right hon. Friend, who is certainly right about the Leader of the Opposition's capacity for mischief against the national interest. It is equally true that we have set out in our White Paper what we believe is the right way for future developments in the European Union in this country's interests. We have set out a clearer definition of that than any other country that will be negotiating in the intergovernmental conference. It is precisely so that we can get down to the details that I invited the Irish presidency to introduce detailed texts, so that we can begin to look at the details of what people specifically expect to be agreed at the intergovernmental conference rather than deal with the generalities, which have been the subject of the debate so far.

Mr. Paddy Ashdown (Yeovil): I am glad that the puerile policy of posturing masquerading as war on Europe is now over. When the Prime Minister announced it, I told him that it would achieve nothing that could not be achieved by other means. The damage that has been done to Britain's influence and respect will be great. The Prime Minister tells us that he had to take the action as Europe had been obstructive for eight weeks; is not the truth that the Government did nothing for eight weeks, which is why nothing happened? The Prime Minister tells us that we have set hurdles that were not originally set. Does he remember the statement made by his Downing street spokesman on 22 May, the day after he announced the policy in the House of Commons? Presumably speaking on the Prime Minister's behalf, the spokesman from No. 10 Downing street said:

> "Nothing short of a full timetable for the phased lifting of the entire beef ban will be sufficient."

Is it not true that no such thing has been achieved?

The Prime Minister said that he was looking for binding commitments from our partners in Europe. Is it not true that every one of the steps must be validated through the Commission, the Scientific Veterinary Committee, the Spongiform Encephalopathy Advisory Committee—"super-SEAC"—and the Standing Veterinary Committee—the very people who, the Prime Minister claims, obstructed the actions in the first place? Far from our achieving success in lifting the third country ban, is it not true that, within minutes of the Foreign Secretary

[Mr. Paddy Ashdown]

announcing that success, a Commission spokesman, in whose hands the matter is supposed to be, said that any beef that we were not able to sell to Germany or France could not be sold to South Africa?

We shall judge the package, which is far heavier and more damaging to British industry than it would have been if the Government had acted earlier and postured later against three factors. The first factor is the Prime Minister's timetable: if he wants to clear the 30-month-plus backlog by October, he will have to put a lot more effort and resources into doing so. The second factor involves the level of compensation. The third factor relates to whether the binding responses, which are necessary as we pass each of the thresholds, have been achieved.

It is perfectly clear that the Prime Minister—like a previous Prime Minister—has returned from Europe claiming a victory, the cost of which we shall feel increasingly over the months ahead. This has been a policy of folly abroad and chaos at home, which has left Britain damaged both abroad and at home.

The Prime Minister: I certainly do not intend to take any lectures on posturing from the right hon. Gentleman, who approaches every issue in Europe from a kneeling position—whether this country is right or wrong. He is accurate, in that he has said before all the things that he has repeated today. He was wrong then and he is wrong in most of what he has had to say today. The statement that he has quoted is wholly inaccurate. I have seen the right hon. Gentleman's letter containing the assertion, and I have written back to him this morning telling him that he is wrong, and that no such statement was made. The right hon. Gentleman had better take that up with the Press Association.

If the right hon. Gentleman looks at what I said in the House of Commons, he will see what the policy of the Government was at the outset and what it has remained, right from the beginning of this affair through to the present time.

Both the right hon. Gentleman and the Labour leader, who says that the ban was unjustified, have failed to say what they would have done in the circumstances. They would have done absolutely nothing—except carp and criticise, the twin names by which we have come to know them.

Mr. John Redwood (Wokingham): I am glad that my right hon. Friend has had success in getting our EC partners to see the difficulties facing our beef industry. I trust that people in this House will think twice before jeopardising more livelihoods and businesses in the beef industry.

Does my right hon. Friend have equally persuasive ways of raising the issues of the powers of the European Court of Justice and the plight of our fishing industry, which are also on our minds?

The Prime Minister: As I have told the House, both matters will certainly be subject to negotiation during the intergovernmental conference. I mentioned quota hopping, which was certainly not what was envisaged when the common fisheries policy was agreed. As I said in my statement today and in our White Paper, we seek some changes in the European Court of Justice also.

Mr. Peter Shore (Bethnal Green and Stepney): This is not exactly an occasion for national rejoicing; but will the Prime Minister now answer the question put to him by my right hon. Friend the Member for Sedgefield (Mr. Blair)? Do we not, at every stage, have to obtain not just the consent of the European Commission for relieving the ban, but the consent of the Standing Veterinary Committee, a nationally appointed body? Is it not also true that the great cost of the mass slaughter—or 80 per cent. of it—will have to be borne by the British taxpayer and the Treasury? Will the right hon. Gentleman give an estimate of the actual sums involved?

The Prime Minister: I believe that I have given the estimates over a period of three years before—but the point that the right hon. Gentleman did not address and may care to deal with now is that the principal issue is getting the ban lifted. It has never been a question of extra resources from the EU, for two good reasons.

First, we have sought to keep all spending across the EU within the guidelines approved for expenditure. There are repeated claims from other nations wanting to break those guidelines; breaking them would result in substantial extra costs to this country. So if we sought to break the guidelines by asking for extra resources, the costs for this country would increase, not diminish, over the years ahead. I do not think that a prudent policy to follow, and I have no intention of following it.

Equally, I have no intention of letting anyone take the opportunity of extra help being sought to change the agreements that we would otherwise seek to reach in the intergovernmental conference. For both those reasons, we do not propose to seek extra resources beyond those that normally apply under arrangements agreed in the past for circumstances such as these. There is also the special question of the British rebate and the arrangements that inhibit it when an extra payment needs to be made. They are the credible reasons why it is not in this country's interests to seek compensation over and above what is normally available under the usual arrangements. It is impossible to determine the cost, but we broadly anticipate that it will be approximately £2 billion over the next three years.

Mr. George Walden (Buckingham): Is my right hon. Friend aware that we have lost prestige, that we have lost money and that we have lost umpteen thousand more cows? If we feel big after that, we must have been feeling rather small before. Is he also aware that the Labour party did not condemn his tactic outright because it was frightened by the atmosphere of petty chauvinism in the press, which helped to push him into his mistaken policy in the first place?

The Prime Minister: I cannot answer in relation to the judgments of the Labour party, but I can answer in relation to the Government's position. We were not prepared to be in a position where objective criteria were ignored, where there was no way to seek a removal of the ban and where science was deliberately being subordinated to national prejudice in countries across

Europe, rather than there being an objective judgment of what ought to be done to help a member state facing a particular difficulty.

I can recall no occasion in the past when a single nation state faced a difficulty of this sort and political criteria in the other member states prevented a solution that was unanimously proposed by the Commission and supported by scientific evidence. Before my hon. Friend criticises the Government or anyone else, he should bear that in mind.

Mr. Giles Radice (North Durham): Is it not the Prime Minister's duty to remind the Euro-sceptics on his Back Benches, who have rubbished the European Union throughout the crisis, that it would not have been possible to reach an agreement without the help of the European Commission, the European Council of Ministers, the European Court of Justice and European money?

The Prime Minister: If the hon. Gentleman looks at the many statements that I have made, he will see that I have made it clear that the Commission and the presidency have played a helpful role in seeking to find a way through these difficulties. However, that is not universally the case with the other member states. I have thanked the presidency and the Commission—most recently at my press conference in Florence—for the support that they have given us during this difficult period.

Sir Teddy Taylor (Southend, East): Is it not a clear sign of the Prime Minister's success in negotiating that only this morning the senior spokesman for the German Chancellor stated that he would have preferred to deal with the Leader of the Opposition, because he would have been more accommodating to German interests?

The Prime Minister was quite right to tell his colleagues that Britain's unemployment has been much lower than theirs since we left the ERM, but will he also make the point to them that the two European states that voted not to join the EC have even lower unemployment rates? Should they not think through the implications?

The Prime Minister: I am sure that they will make their own decisions on that and on other matters. My hon. Friend is quite right about the relative rates of unemployment. Unemployment has continued to fall in this country for almost three years, but it has remained constant or increased in other countries—all of which live in the same general economic climate. I do not think that the difference in policies is an accident in the sense that unemployment has been falling in this country. The House will have noted my hon. Friend's comments about the Leader of the Opposition with interest.

Mr. Doug Hoyle (Warrington, North): Does the Prime Minister remember that on 21 May he said to us that he would be seeking a clear framework that would lead to the lifting of the European ban and the worldwide ban on British beef? However, he has returned with an agreement that gives us no timetable, no dates and no guarantees. He could have got that agreement without the policy of non-co-operation. He has soured relations with our European partners and he has left a bitter legacy for a long time to come. Even our closest friends, such as the Irish Taoiseach, said that the policy of non-co-operation was a mistake. Has not the Prime Minister—

Madam Speaker: Order. This is not a debate. Almost the entire House wishes to ask a question, so questions to the Prime Minister must be brisk and I am sure that he will oblige and give brisk answers. Will the hon. Gentleman now put a question?

Mr. Hoyle: Yes, I shall. The Prime Minister has got nothing for Britain. When will the ban be lifted by Europe and when will the worldwide ban be lifted?

The Prime Minister: On the last point, if the hon. Gentleman reads the statement, he will find out. If he thinks that I could have got that ban lifted without the non-co-operation policy, why was there no progress over an eight-week period and why was there great progress over the next four weeks? The reality is that we accelerated the agreement of a framework and ensured the lifting of the beef derivatives ban precisely because of the action we took.

Mr. John Butterfill (Bournemouth, West): Does my right hon. Friend agree that the Leader of the Opposition is nitpicking over the timetable and has overlooked the fundamental point, which is consumer confidence and its restoration? Having a timetable and an agreed procedure that relies entirely on scientific evidence gives us the means by which worldwide consumer confidence in British beef can be restored.

The Prime Minister: Of course, my hon. Friend is right. The Leader of the Opposition knows that as well as any Member of the House. He just has his fingers crossed behind his back in the hope that he can score a few political points, irrespective of the reality of the situation.

Mrs. Margaret Ewing (Moray): Some of us have listened carefully to the Prime Minister's statement. Does he realise that his use of language in his statement gives no hope at all to the agriculture community in areas such as mine, where thousands of jobs are dependent on that industry? The use of words such as "aim", "expect", "believe" and "hope" shows pious optimism by the Prime Minister.

The right hon. Gentleman specifically referred to certified herds. How will those certified herds be identified, and does he envisage a region-by-region lifting of the ban, which would be of substantial benefit to Northern Ireland and Scotland, because we have had quality assurance schemes?

The Prime Minister: It is not specifically region by region, but herd by herd. In Scotland, it is likely that many herds will be certified because of the way in which cattle are reared. It was precisely to provide such help for Scotland and probably other regions that we decided to seek, and obtained, a framework that will enable us to identify herds in collaboration with the agriculture industry and the European Union, so that the ban may be lifted at an earlier date than would otherwise have been possible. As I told the House earlier, I expect that we shall be able to tell the Commission by October when, on the basis of the agreement that we have reached, the objective criteria would be met and those certified herds would be removed from the ban.

Mr. Michael Jopling (Westmorland and Lonsdale): Is the Prime Minister aware that the beef settlement is an important and welcome step towards the ultimate solution

[Mr. Michael Jopling]

of the crisis? Is he further aware that he should not take notice of those who speak for the two Opposition parties, who seem to have turned being wise after the event into a minor science? With regard to the accelerated slaughter process and in the event of dairy cows being slaughtered before the end of their natural time, will my right hon. Friend also give an undertaking that if we end up under-producing on the British milk quota, it will not have any long-term adverse effect on our milk quota in years to come?

The Prime Minister: My right hon. Friend makes an extremely good point about milk quotas, which we are examining at the moment. As to the accelerated slaughter, according to the fourth cohort, it must be voluntary as there is no other way in which it can be done. Farmers will of course receive compensation, the levels of which are being determined.

Mr. Dennis Skinner (Bolsover): Is the Prime Minister aware that, in industrial terms, he decided to take strike action without a ballot? He wanted to bang together the heads of all those in the Common Market, and it is the British people who have the headache. Will the Prime Minister now answer the questions: when will the ban be lifted and how much will his supreme folly and that of that gang over there cost every man, woman and child in Britain?

The Prime Minister: The hon. Gentleman manages to carry his own absurdity to further lengths this afternoon even than in the past. I thought that he would welcome a strike without a ballot, based on his reputation and his past—it is the way in which he seems to have operated for most of his life. As to his other questions, I refer him to the answers that I have already given to several of his hon. Friends, when I set out those points.

Sir Michael Spicer (South Worcestershire): Will my right hon. Friend confirm that the Government have not been diverted by the beef crisis from pursuing their general objectives in Europe as outlined in the White Paper: that is, preventing any further moves towards a federal state of Europe and, where possible, returning powers to this country and to Parliament?

The Prime Minister: I can certainly confirm that our policies remain as set out in the White Paper, and they were reiterated again in Florence at the weekend.

Mr. Tam Dalyell (Linlithgow): The Prime Minister referred to the middle east in his original statement. Did the Greeks, the Italians or the Germans tell him that they would go ahead and trade with Libya and north Africa, despite the sanctions? Is not British industry the loser, as the recent Egyptian delegation to the House made clear, as a result of sanctions against Libya?

The Prime Minister: There was no such comment by the countries concerned during any discussions about the middle east. Those discussions tended to deal primarily with the middle east peace process.

Sir Hector Monro (Dumfries): May I welcome the achievements of my right hon. Friend the Prime Minister in Florence, in securing the lifting of the ban in due course? I agree that it is important to get beef off the front pages of the newspapers and back into the high-quality food chain. To achieve that aim, will he ensure that the Ministry of Agriculture, Fisheries and Food makes fair payments to farmers involving the least possible bureaucracy?

The Prime Minister: I shall ensure that that is the case.

Mr. D. N. Campbell-Savours (Workington): The Commission's position paper requires the introduction of an effective animal identification and movement recording system, with official registration. The hon. Member for Wantage (Mr. Jackson) and I called for those measures 11 weeks ago. Have those 11 weeks been lost? Is the programme under way? Will the Prime Minister provide some details?

The Prime Minister: On the contrary, the 11 weeks certainly have not been lost. It is a massive undertaking to produce a proper identification programme for all cattle across the country, but that is our intention. A programme of that sort is available in Northern Ireland, but it does not extend across the rest of the United Kingdom. It involves a massive amount of computerisation and co-operation from the agriculture industry. A great deal of progress has been made in the past 11 weeks, and as a result of that progress I was able to set out the indicative dates for the House a few moments ago.

Mr. Nigel Forman (Carshalton and Wallington): On the basis of what has happened with the beef issue in the past few months, is it not clear that the Government's tactic of non-co-operation has proved both legitimate and effective? In order to put that in context, will my right hon. Friend tell the House how the 74 occasions on which we used our national veto during the period of non-co-operation relate to the occasions when was it not necessary to use our national veto, because matters were decided by qualified majority voting? That might show the House whether the European Union is as supra-national as some of my hon. Friends claim.

The Prime Minister: I shall certainly provide my hon. Friend with those figures. I do not carry in my head the number of occasions on which there were qualified majority voting agreements in the past month, during the period of the non-co-operation policy, but my hon. Friend makes a good point. He is also entirely right to point to the fact that the policy has been effective in securing the objectives that I set out at the Dispatch Box, and in securing them far more speedily than would have occurred in any other way.

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Prime Minister take this opportunity to confirm that the other members of the European Union are our partners and friends, not our enemies? When he was explaining his proposals to them over the weekend, did he explain why, on 20 March, two of his Ministers came to the House to make statements on the same issue—one raising a health scare about the transfer of BSE to human beings, and the other saying that no cattle would have to be slaughtered as a result? Given the massive job losses in this country and in France and Germany, how did he

explain to our partners and friends the fiasco that was started by two Ministers not being remotely aware of the consequences beyond the statements that they made?

The Prime Minister: I seem to recall that when my right hon. Friend the Secretary of State for Health came to the House, the Opposition congratulated him on bringing the problem to the House as speedily as he had, because it was thought that that was the right way to deal with it. The hon. Gentleman will recall that there had been a leak in the morning papers, I think, that day. In the absence of a statement, undoubtedly there would have been demands from the Opposition for one. Undoubtedly there would have been a private notice question. My right hon. Friend received praise from the Opposition for coming to the House and setting out the position. The way in which the hon. Gentleman refers to it now is a total and utter travesty of what happened.

Mr. David Howell (Guildford): Can my right hon. Friend detect a strong whiff of sour grapes coming from the Opposition Benches this afternoon? Was it not quite simply a very positive deal, achieved as a result of a tough negotiating approach?

Moving away from beef, did my right hon. Friend notice at the Florence summit that, whereas previously all the pressure was supposed to be on this country to conform to EU social and labour market policies, it is now the other way round and the EU is seeking to follow our policies? Did he hear any comment on the Organisation for Economic Co-operation and Development forecast that, over the next two years, Britain will be the fastest-growing economy in the whole of Europe?

The Prime Minister: There was some comment by me, for I certainly mentioned that, but I did not hear a great deal of comment from our friends and partners in the discussion at Florence over the weekend. My right hon. Friend is entirely right that the new position of the Opposition on these matters seems to be, on every occasion, that everybody is right except the United Kingdom. That seems to be the case, whatever the merits of the argument.

Mr. Peter L. Pike (Burnley): Will the Prime Minister say precisely when and how the scientific basis and information changed to justify the climbdown in the number of cattle to be slaughtered? Will he assure the House that the Minister of Agriculture will not be slaughtered before the last of these cattle are slaughtered?

The Prime Minister: There was no change in the scientific criteria. My right hon. and learned Friend is at the Agriculture Council in Luxembourg at the moment.

Sir Jim Spicer (West Dorset): Does my right hon. Friend accept that we all want to consider other members of the European Union as our partners and friends, but after the weekend in Turin, when he was so badly let down by our partners, was it not inevitable that the ban would follow? All of us in the agriculture community very much welcome the support that he has given to the farming community over the past three months. Does he accept that the farming community will take on board the need for the accelerated slaughter, but only if the commonsense approach to it is coupled with fair compensation?

The Prime Minister: It is certainly true that we were promised co-operation in Turin. It is equally true that a few days later, in the Agriculture Council and elsewhere, that co-operation was noticeable only to the extent that it did not materialise. That is the background to the policy that we subsequently adopted.

Mr. Llew Smith (Blaenau Gwent): The Prime Minister said that employment matters were also discussed in Florence. As we know, to meet the convergence criteria for a single currency, cuts of £18,000 million in public expenditure and public services such as health and education are required. Would he care to anticipate the likely effects that those cuts will have on employment?

The Prime Minister: If the hon. Gentleman thinks that that applies to this country, he should have a look at what will be necessary in each and every country right across the European Union. I see that he does think that. He clearly does not envisage the sort of policy that is set out by his party's Front Bench. There seems to be a certain disagreement between the Labour party's Front and Back Benches. It is quite sad to see the splits in its European policy that open up daily.

Sir Wyn Roberts (Conwy): I welcome the underpinning given at Florence to the policy of eradication, as well as progress towards the lifting of the ban. Does my right hon. Friend agree that, come the autumn, the British beef industry should be in a stronger position than it has been for some time, and that the grounds for increased consumer confidence—both here and elsewhere—should be stronger as well? Does it not appear that, if Opposition Members were ever to negotiate on our behalf in Europe, they would be dictators at home and appeasers over there?

The Prime Minister: My right hon. Friend is right about the impact of our policy over a period. We are seeking a complete eradication policy for BSE. As that is increasingly achieved, it will reopen not only the European markets that have recently fallen foul of the European Union ban, but the markets that were barred to British beef some years ago in the United States and elsewhere. That is why, given the scale of the present problem, it is right for us to seek a full-scale eradication policy. The incidence of BSE is falling dramatically at present, and will continue to do so as a result of the measures that we have adopted.

Mrs. Alice Mahon (Halifax): Is it true that the eradication plan that the Prime Minister has now accepted is three times larger than the original proposal? In the light of what he has just said, would it not have been better, cheaper and safer to go down that route earlier?

The Prime Minister: I simply do not recognise the statistic that the hon. Lady has just produced. I have not seen it, and I have no reason to believe that it is remotely accurate. As I just told my right hon. Friend the Member for Conwy (Sir W. Roberts), what we are seeking is a comprehensive plan to eradicate BSE entirely from British

[The Prime Minister]

herds. I think that that is right in itself. It is certainly right in terms of bringing confidence back to the consumer, and ensuring that British beef—which I consider an excellent product, and which has traditionally been seen as such by the world—can once more enter world markets without let or hindrance.

Mr. William Cash (Stafford): Did my right hon. Friend note that, in yesterday's *The Sunday Times* poll, the British people approved his tough stance by a majority of two to one? Cannot a number of useful lessons be learnt, both by the Labour party and by those who drive for a federal political union in Europe? Those who drive for political union should recognise that we will not—and the British people will not—tolerate the abolition of the veto as expressed by Mr. Dehaene, the Belgian Prime Minister, who, after all, is now governing by decree. As for the Labour party, since our adoption of a tough stance, its rating in opinion polls has dropped by nearly 10 per cent.

The Prime Minister: I certainly believe that we have been following the right policy on its own merits. My hon. Friend is entirely right about the veto. Some of our European partners would wish all matters to be dealt with by qualified majority voting—which, of course, is what the Labour party signed up to in its European socialist manifesto. The impact of that would be that there would be no veto for this country. I assure the House that, if there had been no veto at the Edinburgh financing arrangements in 1991, we would have lost the British rebate. No other country in the European Union likes the British rebate; every other country would vote to get rid of that rebate, which saves this country millions of pounds a year. The little piece of paper that the Labour party signed in its European socialist manifesto is a little piece of paper that will cost the country billions of pounds and more every single year.

Mr. Ieuan Wyn Jones (Ynys Môn): Does the Prime Minister realise that there is considerable concern among Welsh farmers at the accelerated slaughter programme, because we are taking out of production some of the most productive animals in the dairy herd? Does he realise that farmers' disappointment is coupled with the fact that there is no firm timetable for lifting the ban? Will he make it clear what type of compensation package will be introduced for farmers? Will it cover the replacement costs of productive animals and the consequential loss of income? Does he realise that his policy of non-co-operation did not affect the timing or the outcome of the Florence deal, but that it might have affected relations with our European partners?

The Prime Minister: I am sorry that the hon. Gentleman feels that way, because I just think that he is wrong. I have spent six years sitting round the European table with my partners, and he has not. I can assure him that we have made more progress by following this policy than we would have done if we had followed the policy that he seems to advocate. Animals in the accelerated slaughter scheme would in due course have been slaughtered under the 30-month-plus scheme, and the overwhelming majority of them would have been slaughtered only a few months later than under the arrangements that we advocated last week.

Compensation will be offered. As I told the House earlier, we are discussing precisely what the compensation will be. I certainly understand the hon. Gentleman's point on that.

Mr. John Townend (Bridlington): As the Prime Minister has achieved most of the objectives that he set when he started non-co-operation, would he hesitate to use those tactics again in future if British interests were at risk? My farmers are very worried about the influence of the veterinary committee. If the committee is again subject to political influence—as it has been in the past—will it be able to stop the lifting of the ban, or does the Commission have the power to overrule it?

The Prime Minister: The answer to my hon. Friend's last question is, yes, it has the power if it were felt that the committee was not acting on the basis of objective science. That will be extremely helpful. As for his question about policy, very unusual circumstances led us to use that tactic—circumstances that I hope and expect not to see again. I cannot recall another issue on which our European partners voted against the unanimous recommendation of the Commission, when that unanimous recommendation was clearly backed by science. The position taken by our partners was clearly taken for domestic political reasons and was not objective. That caused our response. I very much hope that that type of circumstance will not occur again.

Asylum Seekers (Benefits)

4.26 pm

The Secretary of State for Social Security (Mr. Peter Lilley): With permission, I should like to make a statement to the House on the Government's intentions following the Court of Appeal decision on the vires of the regulations made in February on asylum seekers.

The Government propose to restore the fundamental policy, which was upheld by healthy majorities in both Houses of Parliament. As my right hon. and noble Friend Lord Mackay of Ardbrecknish has said in another place, the Government's intention is to introduce amendments next week to the Asylum and Immigration Bill to restore Parliament's intention.

There are only three categories of people whose benefits were affected by the regulations. The first is illegal immigrants who claim asylum. I cannot believe that it is right to reward illegality. There may be a reason for someone to leave their own country illegally, but there can be no reason illegally to enter this country, which offers sanctuary to genuine refugees. That issue was not addressed in the Court of Appeal judgment.

The second group who no longer qualify for benefit are people who arrived in this country claiming to be something other than asylum seekers. It is not merely that they fail to make a claim for asylum at their port of entry, but they enter the country as business people, students or tourists. They succeed in convincing the immigration authorities that they have the means to support themselves, and they agree not to be a burden on British taxpayers.

One reason why those seeking to abuse the system do not claim asylum at their port of entry is that the process of deporting bogus immigrants is much more protracted after they enter the UK than if they make their claim at the port. I cannot believe that that group should be entitled to benefits if they subsequently change their story—but that issue was not addressed in the judgment by the Court of Appeal.

The third group affected are those whose claim for asylum is turned down after due consideration by the immigration authorities, but who then appeal. British citizens do not generally receive benefit while appealing against its refusal. Successive Governments have upheld that policy, because otherwise, every unsuccessful British benefit claimant would have an incentive to appeal against refusal of benefit. Following the judgment, asylum seekers are now entitled to retain benefit during an appeal. Until the new regulations took effect in February, the vast majority of asylum seekers appealed against rejection, yet 97 per cent. of their appeals turned out to be unfounded.

In the case of British claimants, nearly half eventually win their appeals against benefit refusal, compared to the handful of asylum claimants. It would be extraordinary to treat asylum seekers—only 3 per cent. of whom are found to be genuine refugees—more generously than British citizens, nearly half of whose claims are found to be genuine. That issue was not addressed in the judgment of the Court of Appeal.

In one respect only, British citizens appealing against refusal are treated more leniently than foreign asylum seekers. If a British claimant's appeal is upheld, benefit is backdated. That has not been the case with asylum seekers whose refugee status is confirmed on appeal. I propose in future that any refugee whose appeal is successful will have his entitlement to benefits backdated. That will mean that, where families, friends or voluntary groups are convinced of the validity of an individual's claim, they will be able to support the claimant in the knowledge that he will be able to reimburse them when his claim for refugee status is accepted.

By removing the incentives for bogus asylum seekers to come to this country or to lodge valueless appeals, fewer bogus claims will be clogging up the system. Genuine refugees will have their applications processed and right to stay established much more quickly. In any case, genuine refugees come here not to claim our benefits but to escape persecution. It is as much in the interests of genuine refugees as of taxpayers that action should be taken to discourage unfounded applications. The interests of genuine refugees are damaged if consideration of their applications for asylum are held up by a huge and growing number of unfounded applications from economic migrants.

The court had no difficulty accepting my objective of discouraging economic migrants. Since the regulations were introduced in February, the message has been getting across. The number of asylum claims was down 7 per cent. in March, one quarter in April and nearly one half in May, and 84 per cent. of that decline was due to a fall of in-country applications. That is good news above all for genuine refugees, as it will be easier to deal speedily with their claims.

We are determined that the judgment will not provide a blank cheque for bogus asylum seekers. We must clearly move as quickly as possible to restore the position and reinstate the message. The February regulations were debated in both Houses, and the policy was endorsed by healthy majorities. Their conformity with primary legislation has been considered by five judges. Three endorsed the Government's position. In the latest judgment, two judges ruled the regulations ultra vires. The latest judgment takes effect immediately, and is being implemented by Benefits Agency offices. It will remain in effect unless and until it is reversed by a higher court or overtaken by primary legislation.

To leave the judgment in effect would mean disbursing nearly £300 million a year—the vast majority of it on bogus claimants. That is not in line with the clearly expressed wish of Parliament, in the interests of taxpayers or in the interests of genuine refugees—who come here not to claim our benefits but to seek our liberties.

The House is determined that Britain should remain a sanctuary for people fleeing persecution. We are acting now to ensure that this country remains a safe haven, not a soft touch.

Mr. Chris Smith (Islington, South and Finsbury): Is it not profoundly telling that the Secretary of State—the latest in a straggling line of Ministers—has had to be taught the rules of natural justice by the Appeal Court? Is it not the case that, during the past two years alone, Ministers have been found to have acted unlawfully on four occasions by the Appeal Court and on seven occasions by the High Court?

Did not the Appeal Court on Friday administer a timely reminder to the Secretary of State that no Government, however long in office and however arrogant they may have grown, are above the laws of common humanity and justice?

[Mr. Chris Smith]

Does not the Secretary of State feel ashamed that his policy earned the most damning of indictments from Lord Justice Brown, who said that the measures would

"necessarily contemplate for some a life so destitute that to my mind no civilised nation can tolerate it"?

Does he understand that simply using a whipped vote to force through a further change in primary legislation in order to get around an inconvenient decision of the courts is yet another demonstration of the incompetence of the present Administration?

Does the Secretary of State not realise that his measures—even if they are subsequently implemented—will come nowhere near achieving the savings for the public purse that he has claimed? Is he not aware of the enormous extra cost that local authorities already have to incur, especially where the needs of children have to be met? Is he not simply saving money from one part of the public purse and imposing extra cost on another?

Are not the Secretary of State's claims about dramatically lower numbers claiming asylum themselves misleading? The Government's published figures show that there were 9,305 applications in the first quarter of 1996, compared with 9,905 in the first quarter of 1995 and 7,110 in the first quarter of 1994. Is not the fall in numbers that he claims simply the usual effect of the winter and spring quarters?

Is not the real answer to the problem to speed up the processing of asylum applications, rather than to remove all means of support from those seeking asylum? In that respect, are not the Government doing worse rather than better? Last September, there were 64,000 outstanding applications. By November, the figure had risen to 68,000.

The Secretary of State's argument comparing asylum seekers with British citizens applying for benefits is unsound. He is simply not comparing like with like. Can he not see the difference between someone appealing against a decision on the facts of his entitlement based on an objective criterion relating to his circumstances and someone appealing against a decision on the Home Secretary's opinion as to the genuineness of his fear and anxiety? Surely those are two completely different circumstances.

Let me welcome the right hon. Gentleman's decision to backdate eligibility if an appeal is subsequently successful, but point out that it does not address the need to stay alive while an appeal is being considered.

Does the Secretary of State not understand that his policy is forcing many of those who are legitimately seeking refuge from persecution to become completely destitute? Would he like to tell the young man from Eritrea who came to my advice surgery, who fled his country in fear of his life, who put in his asylum application three days after arriving here, and who is existing on one free meal a day from a local church, what precisely he is expected to do in the meantime?

Does the Secretary of State not realise that his measures affect the genuine and the non-genuine alike, and that all the evidence—including the facts produced by his right hon. and learned Friend the Home Secretary—shows that more genuine applicants apply in-country than at the port of entry?

Will the Secretary of State now at last acknowledge that, in a supposedly civilised country, he is leaving people to starve, and has acted with both inhumanity and injustice? Will he now think again and abandon his foolish intention to legislate his way round the problem? Common humanity demands nothing less.

Mr. Lilley: The hon. Gentleman said that I needed to be taught justice. I was then being taught in company with judges in the lower court and the most senior judge of all who have heard this case, who agreed with my position.

The hon. Gentleman says that the decision is a damning indictment of our policy. If so, it is a damning indictment of a policy, on the treatment of benefit claimants who are appealing against refusal of benefit, that was supported on both sides of the House. The distinction that he tried to draw between the treatment of appeals against refusal of benefit and appeals against refusal of asylum was a distinction without a difference, and bogus in every way.

The hon. Gentleman says that we will not achieve the savings that we set out to achieve. On the contrary, our estimates of savings were based on the assumption that the measures simply checked the rise in the number of asylum seekers. To the extent that they reduce the numbers as they have so far done, the savings will be greater than we anticipated, not less.

The hon. Gentleman claims that the figures do not show a decline, but used figures for the number of claims largely before the measures had taken effect. The figures for the months since the measures took effect show a 7 per cent. drop in claims in March, a 27 per cent. drop in April, and nearly a 50 per cent. drop in May. He is simply factually wrong.

The hon. Gentleman mentioned a specific case of a claimant. I cannot comment on a specific case, but I can ask questions that he should have asked and answered. Did that claimant tell a different story at the port of entry? Did he come from another safe country and shop around countries before coming here? If not, why did he not make the claim at the port when he was asked his reason for entering this country?

The simple question that the hon. Gentleman did not answer is what Labour would do. Would it allow to stand, or reinstate, the court's decision and the old regulations, so that the House would be obliged to spend £300 million a year on a group of people of whom more than 90 per cent. are subsequently found to have made invalid claims? It is all very well for him to take the sanctimonious high ground but not say whether he would change things. He is like the Levite in the parable of the good Samaritan—only he does not pass by on the other side. He leans over, sees the Samaritan in the gutter, expresses great sympathy, and then says,"I shall subject your matter to a review." The hon. Gentleman is not going to say whether there will be any help from a Labour Government.

The simple fact is that fraud is wrong. The whole House recognises that it is wrong, whether it is perpetrated by a domestic claimant or a foreign claimant. Labour has always been the friend of the fraudster. It has now shown that it is the friend of bogus asylum seekers and the enemy of hard-working people in this country of all races, who simply want to ensure that we remain a safe haven but not a soft touch.

Mr. Peter Brooke (City of London and Westminster, South): Will my right hon. Friend confirm that the

welcome concession that he has made on backdated benefits will continue to apply if the Home Office decides to challenge the decision to reverse the original decision on appeal?

Mr. Lilley: There is a simple answer to my right hon. Friend's question: yes.

Mr. David Chidgey (Eastleigh): Does the Secretary of State accept that the withdrawal of benefit has caused severe and intense hardship to some asylum seekers, and that changes in policies on immigration and benefits have created such fear among some of them that they are avoiding any contact with support agencies? Does he accept that those policies are standing the concept of British justice on its head? Under this regime, asylum seekers are considered guilty until they can prove their innocence.

Mr. Lilley: Before the regulations came in, the Refugee Council said that there would be terrible problems and that the streets would be full of destitute asylum claimers. After some months of operation of the regulations, it has had to admit that

"fewer asylum seekers than were expected have made contact with agencies or been visible on the streets."

To suggest that asylum seekers are so destitute that they are too afraid to go to people who can help them seems absurd. It suggests that, when asylum seekers do not need help, they go to people who can help them, but when they need it, they do not. That is not a credible explanation. The alarmist fears stirred up by groups—sometimes in very good faith, through genuine fear that the regulations would have a damaging effect—have not materialised. The claims about destitution are based largely on theory rather than practice.

Dame Angela Rumbold (Mitcham and Morden): Does my right hon. Friend accept that the vast majority of my constituents—I have a multicultural constituency—are absolutely fed up to the back teeth with fraud and asylum seekers' abuse of the system? They will be very pleased with his statement. All parts of the community have felt very strongly about the matter for a considerable time. Does he agree that it is monstrous hypocrisy of the Labour party to condemn his very sensible statement?

Mr. Lilley: I am grateful to my right hon. Friend for her support for the measures. She is right to say that they are supported in all communities. I believe that they have a great deal of support among genuine asylum seekers—although little, of course, among bogus asylum seekers and those who try to misrepresent them.

Mr. Gerald Bermingham (St. Helens, South): Will the Secretary of State acknowledge that the Home Secretary, who is sitting next to him on the Front Bench, is partly to blame? If the system is underfunded, so that a claim's genuineness cannot be tested effectively and quickly, there will, of course, be delay.

What worries me is that, unless immigrants at the port of entry are able to see a friendly face rather than an official face, they do not often seek the advice and guidance they need, which leads to delay in registering their claim. Once they have registered their claims, they do not have the support of family and friends—unlike resident applicants. Unless the appeal or their application is processed quickly, they are left in a state of limbo. If, in turn, their appeal is delayed—or, as we know often from experience, wrongly decided—the situation spirals. Are they to starve until they get justice?

Mr. Lilley: The hon. Gentleman's initial question referred to the resources put into the system speedily to assess claims. My right hon. and learned Friend the Home Secretary has considerably increased the resources. I have transferred to his Department from my budget £37 million to increase the resources further. It is impossible, however, to keep up with an ever-growing flow of bogus asylum seekers if one positively invites them here by promising them benefits when they arrive. As a result, the system is clogged up to the detriment of genuine refugees whose claims cannot be assessed.

I should have thought that the whole House would welcome the fall in the number of claims since the measures were introduced. The fall is predominantly of in-country claims, which suggests that the hon. Gentleman's rationale for such claims is not founded. People have learnt that, if they are going to claim, they should claim at the port of entry or not at all. It would therefore be right to reinstate the policy and reaffirm it, with the improvement that I have mentioned, which so far the Opposition have failed even to welcome.

Mr. Tony Marlow (Northampton, North): Am I right? *[Interruption.]* Did I understand it correctly that a member of the judiciary said that the policy of this House and this Parliament was "uncivilised"? Have I missed something? Do the judiciary now have a democratic mandate to decide which laws are acceptable, or does this House and Parliament, on the balance of views in the country, continue to decide what the laws should be, while the judiciary apply them without being informed by their personal prejudices?

Mr. Lilley: My hon. Friend raises important points about the relationship between the courts and Parliament, but it would not be right for me to pursue those general points in light of a particular judgment that it is my duty to implement, appeal against or alter by primary legislation in Parliament—and I intend to do the last.

My hon. Friend referred to civilisation. Italy provides no benefits for asylum seekers at all, and France provides no benefits for asylum seekers after 12 months. In both respects, our provision is infinitely more civilised and better targeted than anything proposed by the Opposition, or provided in most other countries.

Mr. Jeremy Corbyn (Islington, North): Does the Secretary of State accept that the regulations introduced this year have caused a great deal of misery and poverty? Asylum seekers have been forced to sleep in churches and to beg on the streets, and they are afraid of going to authorities of any sort. Has he not created an underclass of fear in our society? Is it not time that he met some of the organisations that are doing their best to look after asylum seekers, who are quite justly pursuing appeals, to find out what they have to say, rather than pursuing his own prejudices?

Mr. Lilley: I am rather sad that the hon. Gentleman, to whom I have previously paid tribute for his consistent

[Mr. Lilley]

interest in the matter, did not express gratitude for the change to which he alluded in previous debates in this House—rendering the treatment of asylum seekers more similar to that of British benefit claimants by making their successful claims backdated to the beginning of the claim. I should have thought that he would welcome that, and the change will have the effect that I mentioned in my statement.

I am constantly in touch, as are my fellow Ministers, with groups working with asylum seekers. Almost all of them report that the outcome of the regulations was much less severe than any of them feared and most had led us to believe.

Mr. Graham Riddick (Colne Valley): Does my right hon. Friend agree that the vast majority of people in this country find it unbelievable that foreigners can come here claiming to be business men, students or tourists, and, once here, can seek asylum status and qualify for state benefits? Is it not highly revealing, and a timely reminder to the British people, that, when it comes to a choice between supporting the taxpaying British public and bogus asylum seekers, the Labour party once again supports those who would be a burden on the taxpayer?

Mr. Lilley: My hon. Friend puts it extremely well. The man or woman in the street would see the matter exactly like my hon. Friend, and would be mystified by Labour's position on this issue.

Mr. Mike Gapes (Ilford, South): Does the Secretary of State recognise that the legal judgment gives him an opportunity to table an amendment that would allow a reasonable period—perhaps a few weeks—in which someone who had fled for their life to this country after having been tortured would have a chance to understand the procedures and would be able to make an application, rather than be left destitute? I am not talking about an indefinite period—just a few weeks. After this debate, will he think again and table a sensible amendment that might unite this House and the country behind a sensible policy?

Mr. Lilley: The simple fact is that those who are genuinely escaping persecution come here because they trust this country and do not trust the country they are leaving. They come here to seek our liberties and protections—not because they are in terror of this Government. If they were, they would go somewhere else.

There is a legal distinction between those who claim at the port and those who claim in-country, in that it is more difficult to exercise deportation rights on the latter if they are found to be bogus. That is why many are advised to wait a while and make their claim in-country. I do not believe that it is right that people who come here telling one story should get benefits when they tell another.

Mr. Toby Jessel (Twickenham): Is my right hon. Friend aware that many of us feel that Britain has a long and honourable history of acting compassionately towards people abroad who have been persecuted—perhaps persecuted to death? But my constituents do not expect the Government to make the taxpayer pay for unlimited numbers of bogus asylum seekers, nor do they expect the Court of Appeal to do other than uphold public policy as expressed through our parliamentary democracy. My constituents do not expect the Court of Appeal to make up the law as it goes along.

Mr. Lilley: I am sure that my hon. Friend is absolutely right about the attitudes of the British public, who want to give refuge to the fairly small number of genuine refugees who come to this country to escape persecution. But the public recognise that there is also a great wave of economic migration, and—although there is sympathy for economic migrants—we need sensible immigration control, which should not be undermined by abuse of the asylum system. The role of the Court of Appeal is important, although I should not respond to my hon. Friend's question in the context of a specific judgment with which I have the duty of dealing.

Mr. Alan Howarth (Stratford-on-Avon): May I appeal to the Secretary of State and to his party, on the ground of humanity, to abandon this policy, because it is cruel? If, regrettably, he intends to pursue it, I welcome the fact that he intends to do so by means of primary legislation. Have not the Government driven increasing quantities of substantial and contentious legislation through Parliament using the procedures for secondary legislation, which are perfunctory and subject to entirely inadequate parliamentary scrutiny? Should we not be grateful that the judges at least are willing to stand up for the decencies and liberties upon which previous generations of Conservative Back Benchers would have felt it their duty to insist?

Mr. Lilley: The hon. Gentleman now finds himself in uncomfortable company, because his new party tabled a clause on pension-splitting measures during debates on the Family Law Bill the other day that gave the most draconian powers to Government, through secondary legislation by a Henry VIII clause, to alter any legislation by regulation. We have no intention of using those powers, and we shall introduce the measure through primary legislation. The Opposition wanted that clause, which gives a clue to the way in which they would govern this country if, heaven forbid, they should ever get a majority in this place.

Mrs. Elizabeth Peacock (Batley and Spen): Is my right hon. Friend aware that many of my constituents will welcome his statement, as many people in my part of the world are sick and tired of paying taxes for illegal immigrants and people seeking asylum who are not genuine? Which countries would offer similar benefits to me were I to seek asylum?

Mr. Lilley: I think my hon. Friend can be confident that she will not have to seek asylum either now or after the general election, and she will continue to exercise a prominent role in this country. But she is right about the views of British citizens, and about the fact that our benefits and arrangements are honourable, well tailored and—in many respects—superior to those provided in many other countries.

Mr. Harry Barnes (North-East Derbyshire): At the start of his statement, the Secretary of State said that we

should not reward illegality. As he has been turned over by the courts, does that principle apply to him? How will he suffer from that decision?

Mr. Lilley: The Court of Appeal was delivering a verdict on a decision of Parliament—a decision endorsed by a healthy majority in this House and by a substantial majority in the other place. If there is any criticism, it is of the Houses of Parliament, and we must collectively bear the shame that the hon. Gentleman attaches to us.

Mr. Patrick Nicholls (Teignbridge): Anybody who wants to see whether there is a difference between new Labour and the Conservative party ought to look at the report of the exchanges in this House, as my right hon. Friend has announced today something that would strike most people as no more than ordinary common sense. Will my right hon. Friend consider—although perhaps not today—the fact that judges take it upon themselves to strike down laws passed by the Houses of Parliament? If judges now feel entitled to do this, should they not take a 70 per cent. pay cut and get some democratic authority, instead of subverting the constitution that they are in place to uphold?

Mr. Lilley: My hon. Friend makes some telling points, which I shall not follow, for the reasons that I have already given. He is right to say that I am reasserting the decision of Parliament—seeking the assent of Parliament to do so by primary, rather than secondary, legislation. The role of the courts in this is a broader matter, to which I do not want to allude at the moment.

Mr. Neil Gerrard (Walthamstow): Rather than complaining that the Court of Appeal did not address the issues, why does the right hon. Gentleman not admit that the court found against him in the most scathing terms? Before he rushes into primary legislation, will he remember that, before he introduced the regulations, he was advised against them by the Social Security Advisory Committee and every organisation and individual that works and deals with refugees? He ought to pause and remember that before rushing into primary legislation.

On the question of applications at the port, why, if applications at the port are the only ones that can be regarded as genuine, which seems to be his view, has the Home Office given refugee status to many people who have applied in-country?

Mr. Lilley: The one thing I do recall about those who advised against introducing the regulations was that, in almost every case, the forecast they made of what would follow once they were introduced has proved erroneous. That gives me some confidence that their judgment was wrong.

Mr. Jacques Arnold (Gravesham): My constituents expect political judgments to be made by this, their elected House of Commons, and not by remote judges who have probably never met a bogus asylum applicant in their lives. My constituents—both Sikh and other constituents—live cheek by jowl with hundreds of bogus political asylum applicants. My constituents resent those people, who at their expense laugh all the way to the Benefits Agency.

Mr. Lilley: My hon. Friend is absolutely right. This is the place to take political decisions, and therefore this House has a right to know where both parties stand on the issue. We have been discussing it for the best part of an hour, and we still do not know for sure whether the Labour party proposes to go to the people, saying that it will spend £300 million—90 per cent. of it or more on bogus asylum seekers.

Dr. Norman A. Godman (Greenock and Port Glasgow): May I point out to the Secretary of State that many people in Scotland find it deeply offensive that we are detaining in Her Majesty's prison Greenock those persons awaiting deportation from Scotland? Why are the Government so hostile to the idea of a detention centre being built at Glasgow airport, as I and many others have suggested? The BAA is willing to find space for it.

I see that the Home Secretary is whispering in the right hon. Gentleman's ear. That is an important issue. Those people should not be detained in a small, overcrowded prison alongside remand prisoners. The right hon. Gentleman should practise in Scotland what he has practised in England and Wales.

Mr. Lilley: That is, of course, a matter for my right hon. and learned Friend the Home Secretary, who will have heard and considered what the hon. Gentleman said. The ruling of the court, however, was that the practice of detaining refugees and putting them in hostels and camps was an alternative to providing benefits, should we wish to do so.

Mr. Anthony Coombs (Wyre Forest): I welcome, although I am not terribly surprised at, the effect of the regulations in reducing in-house asylum applications, the vast majority of which are totally bogus, as we all know. Does my right hon. Friend agree that the change will have two effects? It will save the taxpayer about £200 million a year, which the Opposition always seem to forget, and it will improve the climate for genuine asylum seekers, who need their cases to be properly considered.

Mr. Lilley: My hon. Friend is absolutely right. Those are the two key points. I am only sorry that the Opposition have been unable to see them with the clarity with which my hon. Friend does.

Mr. Tam Dalyell (Linlithgow): May I ask a personal, factual question? I hope that it is not offensive. Has the Secretary of State, or indeed the Home Secretary, been present at a port of entry when wretched asylum seekers are arriving? Before I became a Member of Parliament, I worked for P and O, and I did see that. The people were bewildered, and could not answer any rational questions. Have Ministers any idea what it is like to go to completely strange shores, often in desperate circumstances? At that time, the refugees came from Ghana, and doubtless from many other places. Have Ministers any idea of the sheer bewilderment? One cannot ask people to be rational at such a point.

Mr. Lilley: The hon. Gentleman misunderstands. Those who are most bewildered reveal their circumstances to the immigration authorities when they arrive. My concern is those who have concocted a convincing tale to get through, by pretending to be business men, tourists or students, and who demonstrate that they have the means to look after themselves while they are in this country—

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they probably have a return ticket, and have gone through the visa system. If they subsequently change their minds, having sussed the place out and learned how the benefit system works, it would be extraordinary for them to be entitled to benefits. Such people will have convinced the authorities that they have the means to support themselves.

Ms Glenda Jackson (Hampstead and Highgate): From the Secretary of State's reply, it would seem that the definition of a bogus asylum seeker is failure to apply at the port of entry. As other hon. Members have said, many of the most vulnerable people do not know that that system applies and do not have the English language which would enable them to ask the relevant questions and to understand the relevant answers.

If the Secretary of State is really unaware of the hardship that the changes to the rules made by his regulations will cause, may I give him an example from my constituency? A woman from Somalia is claiming asylum status. She is seven months pregnant and has absolutely no money, nowhere to live and no friends or relatives to support her. The Secretary of State might not find that shameful, but I and many of my constituents certainly do.

Mr. Lilley: The simple fact is that people who have genuine claims can make them at the port of entry. It is not merely that they have to make the asylum claim there—they have to refrain from telling some entirely spurious and different story. If they say that they are not sure why they are here, they will probably be questioned further until it is discovered that the real reason is to seek asylum. Then they will be entitled to benefits.

If people got here with the story that they were coming for a different purpose, with evidence to that effect and proof that they had the means to support themselves and accepted that they would not be a burden on the British taxpayer, they should not be entitled to help from the taxpayer when they subsequently change their story. I am astonished that the hon. Lady thinks otherwise.

Mrs. Margaret Ewing (Moray): Does the Secretary of State realise that, with the small exception of the positive amendment produced today, his continuing policy will be roundly condemned by all those who work with refugees and asylum seekers, not least the Churches? Whatever political niche he may find in the history books, it will certainly not be as the good Samaritan.

If the hon. gentleman is going to insist that applications for asylum must be made at the port of entry by people who are repressed, downtrodden and fearful, and who have fled God knows what, will he ensure that there will be people there who speak every language, to enable them to understand the situation? That includes Eritrean, which might help hon. Members on the Opposition Front Bench, who referred to that matter earlier.

Mr. Lilley: I can reassure the hon. Lady that my right hon. and learned Friend the Home Secretary ensures that there are a wide array of interpreters covering many scores of languages to deal with the problems of people who would not otherwise be able to make themselves understood. That issue is covered, and I should have made it clear in response to the hon. Member for Hampstead and Highgate (Ms Jackson).

Mrs. Maria Fyfe (Glasgow, Maryhill): We have heard a lot from Conservative Members about what they allege their constituents think. I am sure that my constituents want a system that is just, fair and humane. They do not expect to see it while this Government are in power.

If the Secretary of State really plans to help genuine asylum seekers, will he change his mind about withdrawing the Benefits Agency freephone telephone line for ethnic minorities? If not, how does he think that its withdrawal will help people genuinely seeking asylum?

Mr. Lilley: The hon. Lady says that most of her constituents want a fair system. Of course they do; but I do not think that they will think that it is fair if British citizens who are refused benefit, appeal against the refusal and get no benefit while they are pursuing their appeal for the next six months, are treated much less fairly than those who come from abroad who are refused asylum, appeal against the decision and—under the ruling and the apparent policy of the Opposition—will be paid benefit while they do so, even though nearly half the British appellants are found to be genuine against only 3 per cent. of asylum claimers.

As for the freephone line, the objective is to encourage people to apply direct to their local offices and not via the freephone, which, in a large proportion of cases, we have found, has to refer them to their local offices. It will cut out the middleman and speed up the process.

Mr. Piara S. Khabra (Ealing, Southall): What plans, if any, has the Secretary of State to give extra money to local authorities such as mine, where many asylum seekers live, that have to pick up the bill for supporting the people who will be deprived of benefits?

Mr. Lilley: The hon. Gentleman may not have heard the question of my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke), who has—naturally—campaigned for proper compensation to be given to local authorities such as his, which have large concentrations of asylum seekers. We responded to that by reaching an agreement with the local authority associations to reimburse a very significant proportion of the costs. That agreement is in place and is unaffected by the judgment.

Points of Order

5.11 pm

Mrs. Ann Clwyd (Cynon Valley): On a point of order, Madam Speaker. I seek your guidance and, I hope, your assistance, on a matter that I raised with you last week: the tabling of early-day motions.

I understood you to say that, when the judicial inquiry into child abuse in Clwyd was set up by a motion of this House, the matter would become sub judice. I understand that, but, on Thursday evening, I attempted to table a motion on child abuse that related to a period before that which is being investigated by the judicial inquiry, whose terms of reference are from 1974 onwards. The motion I attempted to table related specifically to 1971. You said that you would use your discretion in these matters. I am asking you to use it in this matter.

Madam Speaker: As the hon. Lady knows, I have not seen the early-day motion to which she refers. Without giving a commitment, if she would like to resubmit it, I shall certainly take a look at it.

Mr. David Ashby (North–West Leicestershire): On a point of order, Madam Speaker. My point of order relates to the Defamation Bill with which we shall deal shortly. Would you prefer me to raise it then?

Madam Speaker: The hon. Gentleman may raise his point of order now.

Mr. Ashby: I am much obliged, Madam Speaker. I raise this point because you are the person who supports Back Benchers and looks after their rights. You will recall that the Defamation Bill had its Second Reading three weeks ago in similar circumstances to those of today. The debate started at about this time, and there was a 7 o'clock vote. I believe that I was one of only two Back Benchers who spoke. I may be forgiven for having felt that I had something to offer the House on that occasion because I felt that, having been a victim, I had a knowledge of the subject. I had much information to give the House about what happens to victims and about how improvements could be made.

I was somewhat surprised—I should not have been, but I was—that I was not selected for the Committee. None the less, I tabled many amendments with the help of my hon. Friend the Member for Eltham (Mr. Bottomley), and he was ready to speak to them. I attended the Committee, although not a member, I was unable to participate, and had to sit in the public—

Madam Speaker: Order. What is the point of order?

Mr. Ashby: The point of order relates to my rights as a Back Bencher. I was surprised to find that most of the amendments that I had tabled were not called on that occasion. Notwithstanding that, I tabled many amendments—

Madam Speaker: Order. We have a lot of business before us. If the hon. Gentleman is asking me why I have not selected some of the amendments that he has tabled, the answer is that the Speaker never gives reasons for the non-selection of amendments. He asked about the Committee of Selection. That is not the Speaker's business. I hope that I have dealt with his point of order, and that we can speedily move on to the very important Bill before us.

Mr. Ashby: I should like to continue with the point that I was making.

Madam Speaker: I am a most tolerant lady. I ask the hon. Gentleman to put his point so that I can deal with it.

Mr. Ashby: What is a simple Back Bencher to do when he is ridden over roughshod by the Government and by the Speaker and not able to put his points?

Madam Speaker: Order. I very much resent the hon. Gentleman's last comment. For most of this morning, I carefully examined the amendments that he tabled. Like every Speaker before me, I will not give the reasons why I cannot select them. If he were to examine them more carefully, he would know very well why they are unacceptable.

Mr. Matthew Taylor (Truro): On a point of order, Madam Speaker. You will be aware that, over the weekend, Albert Tong was arrested for deportation, and subsequently suffered what is thought to have been a mild heart attack. The Minister of State, Home Office said that the Home Office had not been informed that he had health problems. She later accepted that, although the Home Office had been told, Ministers had not.

Today, it has been revealed that an immigration office letter specifically said that the Secretary of State had been informed and had considered that fact. In that light, should not the Minister come to the House to explain what inquiry she has undertaken and how the letters were sent? Can you do anything to help that happen?

Madam Speaker: The hon. Gentleman appears to be asking the Government to make a statement. If there was to have been such a statement, we would all have known about it, because it would have been on the annunciator by 1 o'clock today.

Sir Terence Higgins (Worthing): On a point of order, Madam Speaker. I understand that you would prefer to take points of order on the Defamation Bill now rather than at the beginning of proceedings on it. You have selected new clause 9, with which are associated several other amendments, including amendment No. 21. On Report, we do not normally debate clause stand part. However, amendment No. 21 only partially amends clause 13, to which it relates.

If new clause 9 were carried, we would take amendment No. 21 as consequential. It would effectively leave a space in which the new clause could be inserted. If I understand the situation correctly, it would not be possible to vote against clause 13, which has deficiencies other than those covered by the amendment. If that is the case, when that rather innovative clause returns to the

[Sir Terence Higgins]

Lords, where it arose, perhaps they would be able to take into account the fact that we had not been able to vote on it.

Madam Speaker: I hope that I can help the right hon. Gentleman. If new clause 9 is not carried, I can accept a Division on amendment No. 21. That will clear the matter up.

Sir Terence Higgins: I understand that very well, but it may be that we come first to the amendment, which goes only part of the way that one wishes to go. It would be strange to vote against an amendment of which one is in favour when one cannot subsequently go further by voting against the clause itself.

Madam Speaker: New clause 9 comes before amendment No. 21, so the House will be voting on new clause 9 before we reach amendment No. 21.

Mrs. Ann Taylor (Dewsbury): Further to that point of order, Madam Speaker. It may be for the benefit of the House to clarify the situation. Any vote on amendment No. 21 would come at the end of all the proceedings. As my hon. Friend the Member for Brent, South (Mr. Boateng) will make clear, the Opposition are not suggesting that new clause 9 is the best possible solution. It will be suggested that new clause 9 is a possible alternative, but not better than complete deletion, which will still be an option open to the House after the debate on amendment No. 40.

Sir Terence Higgins: That may be so, and I shall need to think about it. Would I be right in thinking that, if amendment No. 21 were carried, the new clause would be knocked out?

Madam Speaker: No. What is the right hon. Gentleman asking? If we carry new clause 9, what we do on amendment No. 21 will depend on what the House indicates are its wishes at the time. I am in the hands of the House. We have to deal with new clause 9 first; we shall reach amendment No. 21 much later in the proceedings, by which time the House will have made up its mind how to deal with it.

Sir Terence Higgins: I am so sorry to persist, Madam Speaker, but this is a matter of constitutional importance. If we vote for new clause 9, we then reach amendment No. 21, which knocks out virtually all of clause 13. The amendment proposed goes only part of the way towards removing deficiencies in the original clause.

Madam Speaker: My advice is that the Bill would go to the House of Lords for it to consider the position. That is all we can do—once we have made our decisions, all we can do is refer the matter to the House of Lords for it to make a decision.

Sir Terence Higgins: Madam Speaker, in that case, the position is clear and the House of Lords will need to consider it. We shall not have an opportunity to knock out clause 13 completely.

Mr. Peter Bottomley (Eltham): On a point of order, Madam Speaker. We have just had a statement from the Secretary of State for Social Security as a consequence of a decision taken by judges. He has proposed that the House should consider primary legislation to rectify the position. There has been a development on defamation over the past few years: judges have developed the law to allow them to interfere in awards made by juries, contrary to the previous opinion of judges and common law.

We have a difficulty: although seven groups of amendments have been selected for debate this afternoon, there are also two new clauses to debate. One subject was clearly a matter of interest—on Second Reading, in Committee and, in relation to some of the proposals, on Report—but unfortunately it was not possible to table an amendment which would have had the same effect as some of the new clauses and which would have returned to the House the question whether judges should be able to overturn jury awards. That is one area of defamation in which I do not have a personal interest.

The House faces a difficulty in accepting what the judges have determined the law to be, without being able to consider the subject in detail, either in Committee or on Report. It would be helpful to the House to know how it could consider the matter while debating the Bill.

Madam Speaker: That is not a point of order for me. It is a matter that will become clear in debate across the House, but it is not a point of order for the Chair of the House.

Mr. Bottomley: I am not criticising the Chair—I fully understand the Chair's role in allowing the House to consider points made by right hon. and hon. Members. As one of the new clauses has not been selected, and as it is not possible to table an amendment, it will not be possible for the House to effect the law as developed by judges. As the previous question and answer session with my right hon. Friend the Secretary of State for Social Security demonstrated, when the judges believe that the law is not as Parliament believes it be, the House should have an opportunity, when considering a relevant Bill, to consider the sort of amendment or clause that has been tabled, but not selected.

Madam Speaker: I can select only the new clauses and amendments that are in order and that relate to the Bill. As I said earlier, I cannot give reasons for the non-selection of some new clauses and amendments, but many of them did not relate to the Bill and were out of order. I cannot select amendments that do not directly relate to the Bill. I can take no further points of order on the subject.

Mr. Bottomley: I think I must explain—

Madam Speaker: Order. I think that the hon. Gentleman has just explained everything.

Mr. Bottomley: I am not challenging the role of the Chair; I spoke specifically in support of the role of the Speaker. How can the House consider judge-made law if it is not possible to move an amendment that is in order and if the new clause that has been tabled is out of order? That is the dilemma for the House.

Madam Speaker: The hon. Gentleman can vote on new clauses or amendments in any place, either in

Committee—I believe that he was a member of the Standing Committee—or on the Floor of the House. It is up to the House to make its decisions. Those are not points of order that can be resolved in this way. We must move on.

Orders of the Day

Defamation Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 9

EVIDENCE RELATING TO PROCEEDINGS IN PARLIAMENT

'.—(1) Where proceedings in Parliament are in issue in defamation proceedings, the House of Parliament in which the proceedings in issue took place may, if such relief is sought in a petition from a plaintiff in those defamation proceedings who is or has been a Member of that House, waive for the purposes of those defamation proceedings the protection afforded to that person by any enactment or rule of law which prevents proceedings in Parliament being impeached or questioned in any court or place out of Parliament.

(2) Where one House of Parliament waives that protection, any such enactment or rule of law shall not apply to prevent evidence being given, questions being asked or statements, submissions, comments or findings being made in or to the court about the conduct of the person in relation to whom it has been waived and no such proceedings in the court shall be regarded as infringing the privilege of that House, but—

(a) the waiver of that protection by one House of Parliament does not affect its operation in relation to the other House;

(b) the waiver of that protection in relation to one person does not affect its operation in relation to another; and

(c) the waiver of that protection in relation to one cause of action does not affect its operation in relation to another cause of action.

(3) Nothing done under this section shall affect the protection which is afforded to a person from legal liability for words spoken or things done in the course of or for the purposes of or incidental to any proceedings in Parliament by any enactment or rule of law.'.—*[Mr. Boateng.]*

Brought up, and read the First time.

5.25 pm

Mr. Paul Boateng (Brent, South): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: Amendment (a) to the proposed new clause, at end add—

'(4) This section does not apply where the cause of action arose before the section came into force.'

Amendment No. 21, in clause 13, page 10, line 32, leave out from beginning to end of line 17 on page 11.

Amendment No. 43, in page 11, line 17, at end insert—

'(4) This section does not apply where the cause of action arose before the section came into force.'.

Amendment No. 22, in clause 18, page 13, leave out line 2.

Amendment No. 44, in page 13, leave out line 15.

Amendment No. 23, in page 13, leave out line 31.

Amendment No. 24, in clause 19, page 14, leave out line 6.

Mr. Boateng: New clause 9 and the amendments grouped with it arise as a result of a widespread concern in the House, which was reflected in Committee, at the proposals in clause 13. That clause, as drafted,

[Mr. Boateng]

would overturn, and change in relation to article IX of the Bill of Rights, a major plank of our constitution. It is proposed to enable an hon. Member who is suing for libel to waive a privilege that has long been enjoyed by Members of the House in order to enable him to sue more effectively. It is also proposed to enable the court to determine and to rule on matters which would otherwise be considered proceedings of the House and on which it would otherwise be unable to rule.

In his point of order, the right hon. Member for Worthing (Sir T. Higgins) outlined the dilemma that the House faces as a result of the Government's handling of the matter. We were told, both in the other place by the Lord Chancellor and in this House by the then Parliamentary Secretary, Lord Chancellor's Department, that the Government's stance on the subject was neutral. We were told that there would be ample opportunity to debate the matter on Report. Were it not for the fact that the Opposition tabled new clause 9 and for the action of other Opposition Members in tabling the amendments, we would not be having this debate.

The Government have been far from neutral on the matter. What we wanted at this stage of our deliberations was a full debate that enabled the House to determine what course of action it wished to take in relation to this fundamental constitutional issue. There should have been a range of options that we as a House could freely debate—it will be a free vote for the Opposition, and, I understand, for Conservative Members. Those options would have contained each of the elements now included in new clause 9, in amendment (a) to it, and in amendments Nos. 21 and 43.

New clause 9 enables a Member who is suing for libel to waive privilege, but only in narrowly defined circumstances and with the approval of the House. It is drafted to limit the capacity of the courts to rule on the extent of privileged proceedings of this House, and it reasserts the collective nature of parliamentary privilege as belonging to the House as a whole rather than an individual Member. That is central to our concerns—and, I hope, to those of some Conservative Members—about clause 13. Privilege is a matter for the House, not something that we would enjoy except as Members of the House. We enjoy privilege so that we can better carry out the democratic purposes of the House.

New clause 9 asserts the collective nature of privilege in a way that recognises also that there are hard cases. The hon. Member for Tatton (Mr. Hamilton) probably feels that his is just such a case. When hard cases arise, however, it is surely right that the whole House should determine whether someone's privilege should be waived; not the individual Member.

Amendment No. 21 deletes the whole of clause 13, which was inserted on Third Reading in the other place, leaving the law as it stands. The effect of amendment No. 43 and of amendment (a) to new clause 9 is to ensure that no change will apply retrospectively; in other words, they bring clause 13 or new clause 9—whichever the House determines to proceed with—in line with every other major provision in the Bill.

The dilemma outlined by the right hon. Member for Worthing in his important point of order is an exact consequence of how the Government have chosen to proceed. The proper course would have been to produce a range of options for the House to consider. Then we could have held a free debate on them; the right hon. Member for Worthing could have chosen, for instance, to vote to remove clause 13 altogether. Then, if it fell, we could have debated whether the House, in certain circumstances, should be able to waive privilege to allow a Member to remedy a particular injustice. Thereafter we could have determined whether clause 13 met the requirements of the House in terms of privilege.

The Government have failed to give the House the right opportunity. Indeed, the whole issue has been mishandled from start to finish. There were absurd scenes in the other place, where Lord Hoffmann was "encouraged" to table an amendment. There had been an attempt, apparently, to table it earlier on, but it failed. So—exceptionally—the amendment was tabled on Third Reading, whereupon Lord Hoffmann proceeded not to vote for his own amendment.

So, at a late stage in the debate and by a side wind, as it were, this important clause was added. Not only did Lord Hoffmann not vote for it, but he has since made it clear that there are arguments for and against his clause and he does not regard himself as having any brief to support it.

That is no way to rewrite the constitution. The Government meanwhile claimed that they were neutral, but rejected attempts to refer the matter to a Joint Committee of both Houses, where it could have been considered with care, drawing on the expertise of outside disinterested constitutional lawyers. In that way, we could have benefited from their advice to the full. But the Government chose not to take this course; instead they pushed the measure through the House, and that is no way to change the constitution.

Mr. David Ashby (North–West Leicestershire): Proceedings in the two cases concerning Members of the House were stayed on a procedural point. Procedural points are not points of law and they can be retrospective. Why is the hon. Gentleman supporting an amendment that would not allow the changes to be retrospective? Is that not an act of meanness by his party, aimed at our party?

Mr. Boateng: I am sorry that I gave way. I had hoped that the hon. Gentleman would understand that both sides of the House want the matter to be regarded as separate from party politics and from the people concerned. We are worried about how it has been handled. A major constitutional change has, in effect, been brought in on the back of a couple of cases.

When the matter was debated in the other place, several Lords and Ladies took an unprecedented and sudden interest in issues of law reform. There was a massive turnout on the Government Benches, whereas one would not have expected to find such keen interest in their Lordships' House. One suspects that that turnout was not wholly unrelated to the special and personal interests of the hon. Member for Tatton, and with their Lordships' sympathy for it. That sympathy may or may not be misplaced, but it should not in any case determine how we deal with an issue that goes to the very heart of our constitution.

Article IX of the Bill of Rights has an important antecedent case history. It resulted from Sir John Eliot's case, from Sir William Williams's case, from Strode's

case and from the arrest of the five Members. It resulted too, from Peter Wentworth's persistent advocacy of the rights of Members of this House to freedom of speech against the great and mighty interests of the day. Is there to be added to those names the name of the hon. Member for Tatton? Is it really right that an article fashioned out of a desire to preserve and protect the privileges of this House, as a means of defending the interests of the people, should be subordinated to the special interests of the hon. Member for Tatton? Is that how we would wish to order our constitutional affairs? Of course not.

When we consider this matter, we must do so free from the special interests represented by the hon. Member for Tatton or the hon. Member for Torbay (Mr. Allason). Of course, understandably, they feel deeply about the injustice that they believe they have experienced. However, the privilege that they have—the privilege that they enjoy to say what they wish to say when they speak during the proceedings of the House—has its downside. The downside is that it is a privilege that may not be waived to enable them to preserve and to protect their special and personal interests.

Sir Peter Tapsell (East Lindsey): The hon. Gentleman has cited famous and historic cases that led to the Bill of Rights—cases in which individual Members of the House were in danger of being persecuted or bullied by the King, the sovereign or the Executive of the day. We are currently discussing an entirely new situation—it did not exist in those days. Individual Members—they could be from any side of the House at any time—can be subjected to persecution, not from the Executive or from the sovereign, but from what many people regard as an over-mighty press that is owned, for the most part, by foreigners. We have to try to bring up to date the ideas that led to the Bill of Rights. We have to protect Members of Parliament, in a modern and new situation, from the sorts of abuses that the Bill of Rights sought to protect them from in the 17th century.

Mr. Boateng: The abuse of power—whether it be by the Crown, the Executive, an over-mighty subject or group of subjects or an overweening power outside the House—is something that the House ought to take cognisance of. However, the complaint of many Labour Members and, I suspect, of some Government Members is that clause 13, as it now stands, hands over to the judiciary the power that the House should have to preserve and to protect the privileges of the House against such over-mighty and overweening powers. That power does not belong with the judiciary; it belongs in the House. New clause 9 and our series of amendments seek to enable the House to arrive at a decision in that regard.

When we examine the Prebble *v.* Television New Zealand case and the jurisprudence that lies behind it, we see that it is part and parcel of a series of cases that have addressed the issue of the extent and nature of parliamentary privilege. In the light of these cases, *Hansard* was opened up to the courts as an instrument by which it was possible for them to arrive at an interpretation of that which we have placed in statute. When we look at these cases, we see a greater willingness by the courts to define the extent of our privilege.

It is ironic that we should be holding this debate in the immediate aftermath of a statement that has been brought about as a result of what some Conservative Members suggested was an unjustified usurping of our powers by the judiciary. Some of those hon. Members are now about to hand over powers in relation to the House to the judiciary to enable it to determine, through the instrument of interpretation, the extent of our privilege.

Those of us who are concerned about clause 13 believe that we ought to do that with great caution. If we allowed the courts to interpret privilege—in the way that clause 13 will do—we would be in danger of doing the House, its proceedings and the special role its Members play in a democracy a grave disservice.

Mr. Tim Devlin (Stockton, South): Earlier, the hon. Gentleman made a disparaging reference to my hon. Friend the Member for Tatton (Mr. Hamilton)—I hold no brief for him or for any other hon. Friend. If, for whatever reason, an individual is unpopular, what the hon. Gentleman proposes is still likely to lead to injustice. If the House decides not to support the individual Member, for whatever reason, an injustice can be perpetrated, can it not? We are seeking to protect any Member—whether we like him or not—from injustice in similar circumstances.

5.45 pm

Mr. Boateng: The hon. Gentleman misunderstands our purpose in new clause 9 and in the other amendments tabled in the names of my right hon. and hon. Friends. We wish to give the House a series of options. One of my concerns about clause 13 is that, although it maintains the collective nature of the privilege that the House enjoys so that it can better carry out its democratic purpose, it might lead to the House as a whole being required to look into and to determine the rights and wrongs of a particular case. In those circumstances, there is a danger that considerations other than the interests of justice—considerations of a personal nature—will intervene in the process.

Because of my concern, my preference—there is to be a free vote and my colleagues will arrive at their own decision—is to delete clause 13. In that way, we would avoid the danger to which the hon. Member for Stockton, South (Mr. Devlin) referred. Equally important, we would avoid the danger that exists in relation to clause 13, which is dramatically illustrated not least by the very case in which the hon. Member for Tatton is involved. Under clause 13, as it is written, if one Member of the House is prepared to waive his privilege but another Member who is involved in the proceedings is not prepared to waive his privilege, what will happen?

Sir Terence Higgins (Worthing): The hon. Gentleman has moved on from the point that I wished to address. If he wishes to remove clause 13, he has the option to do so—he simply does not move new clause 9—and we would knock out clause 13.

Mr. Boateng: We have chosen not to proceed in that way, in the hope—*[Interruption.]* I hear laughter from the Government Benches. This is a serious matter. It would have been preferable if the Leader of the House had delivered on what the Government promised: if all hon. Members were able to make a free choice between three options. The Labour party recognises that there may be hon. Members who accept the argument that in certain

[Mr. Boateng]

cases the result of the Prebble *v.* Television New Zealand case, the result of article IX, is hard and creates a potential injustice for an individual.

New clause 9 provides a halfway house in which it is possible—in certain circumstances where the House is so moved and accepts the injustice caused to one of its number by a particular action—for privilege to be waived by the whole House in relation to that hon. Member. We have tabled new clause 9 out of a desire to facilitate a debate and a free choice.

Mr. Rupert Allason (Torbay): If the motive behind new clause 9 is to pass what I readily accept is an important constitutional issue for the whole House, what is the purpose behind amendment No. 43 and amendment (a) which seek to stop those cases that are already before the courts being affected by the Bill?

Mr. Boateng: Those amendments have a simple purpose. It must be for the whole House to determine whether anything it does should have a retrospective effect. It must be for the whole House to determine whether the cases of any individual hon. Members should be subject to new clause 9 and the amendments.

Mr. Allason *rose—*

Mr. Boateng: The hon. Gentleman will have an opportunity to make a speech in due course. The proponents of clause 13 must answer, on the issue of injustice, the question of what happens when one Member waives privilege and another does not.

Mr. D. N. Campbell-Savours (Workington): Does my hon. Friend agree that the new clause and the position of the Lords would make huge constitutional changes that would have formidable implications for the House of Commons? Less than 5 per cent. of the membership of the Commons is here tonight. Many of my hon. Friends and many other hon. Members are perhaps unaware of what is happening. Surely the only possible way to proceed would have been for the matter to be dealt with by a Committee of the House of Commons or a Committee of both Houses. It seems utterly ludicrous that we are discussing a matter of huge constitutional importance and that a handful of Members will take a decision that we may regret—or may not regret, I do not know the answer—well into the future.

Mr. Boateng: The timing of the debate is certainly of interest, because it inevitably will run up against the 7 o'clock deadline for private business. It can run on thereafter if the House wants it to do so, but the timing is singular and calls into question yet again—if I may say so—the Government's neutrality on the matter.

What will be the position under clause 13 when one hon. Member waives his privilege and another does not? What would be the position in the case of the hon. Member for Tatton? Part and parcel of *The Guardian*'s defence to his action is the position of the hon. Member for Beaconsfield (Mr. Smith). Suppose the hon. Member for Tatton were to waive his privilege but the hon. Member for Beaconsfield did not waive his. The danger would be that at least one of the parties to the litigation would still, in effect, be denied justice. *The Guardian*, as the defendant, would not be able to pray in aid such evidence as the hon. Member for Beaconsfield might be able to give on the matter, in so far as he has admitted that he was paid money by some outside interests for the purpose of asking a question in the House. That is a real problem and it has not been addressed by those who support clause 13.

Our view can be summarised as follows. Privilege belongs to the House, not to the individual Member. It is for the House to determine how that privilege may or may not be exercised. If privilege is to be waived, that is a matter not for the individual but for the House as a whole. Above all, our view is that when Members individually and freely arrive at their decision on this subject, they should bear in mind that any action by the House that enables the courts, not us, to determine the proceedings of the House—clause 13 may represent just such an action—and any action that puts an individual under pressure to waive privilege, is likely to undermine the privileges of the House. Those privileges were designed to enable us to uphold, maintain and develop a democratic purpose, not to enable us to uphold special rights and interests. We tamper with such a privilege at our peril.

For many Labour Members, clause 13 represents—in the haste and the manner in which it has been introduced—an unwarranted tampering that ultimately threatens the liberty of us all. As such, we shall resist it. All hon. Members, when they make up their minds to resist clause 13—if they do—should do so on the basis that it is an unwarranted interference. All hon. Members should bear in mind the circumstances in which the matter has been brought before the House. Hon. Members should regret the way in which it has been brought before the House and they should bear in mind also their responsibility to preserve and protect the privileges of the House, not in their interests but in the interests of the people whom they serve.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): New clause 9, as the hon. Member for Brent, South (Mr. Boateng) made clear—although his concluding remarks called into question what he said about neutrality—and the amendments grouped with it, have given the House what we see as a valuable opportunity to debate what is undoubtedly an important issue that has arisen about parliamentary privileges and the Bill of Rights. Apart from the contribution that the hon. Gentleman has made and those that will no doubt be made by others during the debate, it is right also to acknowledge the help that has been given to the debates in this place by the earlier proceedings and exploration of the issues during the passage of the Bill in another place.

As the House is by now well aware, and as the hon. Member for Brent, South has explained, the matter that new clause 9 and clause 13 seek to deal with has arisen because the defamation case that my hon. Friend the Member for Tatton (Mr. Hamilton) and Mr. Ian Greer brought against *The Guardian* in the High Court was stayed by the judge because he decided that the case could not be tried properly without hearing evidence about my hon. Friend's conduct and motives in tabling the parliamentary questions that were the subject of the newspaper's allegations and that that evidence could not

be heard because of the prohibition—by virtue of article IX of the Bill of Rights—on the questioning or impeaching by the courts of proceedings in Parliament. As the hon. Member for Brent, South has already said, that case followed the earlier case of Prebble *v.* Television New Zealand Ltd. before the Judicial Committee of the Privy Council, in which, because of the provisions of article IX, the Committee found that the defendants could not use parliamentary materials to establish the truth of allegedly defamatory allegations made by them.

Two possible resolutions of the predicament in which my hon. Friend the Member for Tatton found himself—and which, let us be under no illusion, could face other hon. Members from any party in the future—are before the House this evening, and I will deal with each of them in turn. I make it clear—particularly in light of the hon. Gentleman's peroration which seemed at variance with his earlier stated position—that the Government have adopted the attitude of neutrality. We believe that it is a parliamentary matter and that each individual Member of Parliament should exercise his or her judgment. I was delighted to hear the hon. Gentleman's comments about the Labour party's neutral position—although I think that some of his remarks were not completely consistent with that approach.

Against that background, clause 13—which amendment No. 21 seeks to leave out—was inserted in the Bill during its passage through another place as a result of an amendment moved by Lord Hoffmann. It would allow a Member of either House or any other person whose conduct in Parliament is an issue in defamation proceedings to waive the protection of article IX so as to enable evidence to be given in court and findings made about his conduct in Parliament. At the same time, the clause seeks to preserve the essential protection that the Bill of Rights affords—we do not dispute that such protection is necessary—to Members of both Houses and to others, such as witnesses before parliamentary Committees, from any legal liability for anything that they may say or do in the course of parliamentary proceedings.

6 pm

Mr. Campbell-Savours: I seek the right hon. Gentleman's interpretation on that point. Does that mean that a document that came before the Standards and Privileges Committee and that made allegations about a number of hon. Members could be used in evidence in a trial when an hon. Member seeks to waive protection? In other words, could the process of extracting information from the Committee prejudice the rights of other hon. Members or other persons who might be named in that document?

Mr. Newton: My right hon. and learned Friend the Attorney-General is by my side. He says that he thinks that that would not be the case as the document would not be in the possession of the individual hon. Member. I shall give further attention to that point during the debate.

Sir Terence Higgins: Would not such a document be part of the proceedings of the House?

Mr. Newton: I think that the appropriate course is for me to take further advice about the matter and seek to respond to the House and to my right hon. Friend at a later stage.

Mr. Campbell-Savours: I do not want to embarrass the right hon. Gentleman—no one knows all the answers—but I ask him to seek a more sensible and informed response from his right hon. and learned Friend. I have asked a fairly elementary question that will influence the judgments of many hon. Members. I want to know whether material that is included in a document that may be owned by a Select Committee and which refers to people other than the hon. Member who is applying for that document to be made available to the court would prejudice the rights of hon. Members if it were to be freed.

The Attorney-General (Sir Nicholas Lyell): I am happy to answer the hon. Gentleman as best I can—I have considered the matter.

In my view, it would not be open to the other party to the action to call for such a document to be admitted. According to the hon. Gentleman's description, such a document would probably emanate from the Standards and Privileges Committee and it would be in the possession of the House. It would not be under the control of the hon. Member concerned and, as such, it would not be available to the other party upon discovery.

We are discussing whether the motives or the actions in Parliament of the hon. Member who has brought the action and who has—if the clause is attached to the Bill and becomes law—waived his privilege may be impeached or called into question. That cannot occur at present because of article IX of the Bill of Rights. Therefore, the court has held in the Hamilton case that the matter must be stayed as the full issues cannot be tried. The court has not held that it must be stayed because every relevant document that is in Parliament's possession cannot be made available—that would be a much wider point.

Mr. Boateng *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The Leader of the House has the Floor.

Mr. Newton: I shall give way to the hon. Member for Brent, South, who clearly wishes to intervene. However, first I must complete my point. My right hon. and learned Friend is present and I am sure that he will seek to assist the House at any appropriate stage in the debate if that should prove helpful.

Mr. Boateng: The question raised by my hon. Friend the Member for Workington (Mr. Campbell-Savours) is not answered completely by the Attorney-General's intervention. What would occur if the hon. Member concerned had made a number of interventions or raised a number of points during Committee proceedings, which are obviously part of the parliamentary record? If that hon. Member subsequently waives his privilege, surely it is open to the defendant to say, "We should have access to that information which reflects his motives and conduct but which appears in a document to which other hon. Members who have not waived their privilege have contributed." As the Attorney-General said, one imagines that such a document would be owned by the Committee and by the House. It would hamper the defendant if he

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were not given access to that document. We are opening that area to the scrutiny of the courts if we allow clause 13 to stand.

Mr. Newton: I have already said that my right hon. and learned Friend will seek to assist the House later if that should prove helpful. Meanwhile, we must remember that the House allows the courts to refer to *Hansard.*

Mr. John Morris (Aberavon): As the Attorney-General intends to assist the House further, I ask him to consider that we are seeking to allow the protection of Parliament to be raised as the clause would apply to parliamentary proceedings that at present cannot be impeached or questioned in any court or place outside Parliament. That is the starting point. Clause 13(2) states:

"Where a person waives that protection—

(a) any such enactment or rule of law shall not apply to prevent evidence being given, questions being asked or statements, submissions, comments or findings being made about his conduct".

How will the sorts of documents to which my hon. Friend the Member for Workington (Mr. Campbell-Savours) refers be ring-fenced in that regard?

Mr. Newton: I shall not elaborate further upon the remarks of my right hon. and learned Friend, beyond saying that, according to the advice given to me, the short answer is that such a document could not be made available without a separate decision of the House. I hope that that provides the reassurance that both the hon. Member for Workington (Mr. Campbell-Savours) and the hon. Member for Brent, South are seeking.

Dr. Tony Wright (Cannock and Burntwood): I do not wish to explore the content of the answer by the Leader of the House, but I must put several points to him. Does not that important exchange illustrate a fundamental difficulty with the clause? The House—particularly the Standards and Privileges Committee—has laboured mightily over the years to try to define what constitutes proceedings in Parliament. The clause, quite casually and without reference to any Committee or to previous deliberations, announces that there may be a waiver and that proceedings in Parliament shall be thus and thus. The first time that it is tested, we find that we do not know what the Bill says. Does that not illustrate precisely the difficulties of dealing with a major constitutional issue in a wholly casual manner?

Mr. Newton: I am sure that if the hon. Gentleman catches your eye, Mr. Deputy Speaker, he will be able to develop that point, which, in a sense, has already been developed by the hon. Members for Brent, South and for Workington. No one—certainly not me—is seeking to present the argument as though every single case was conclusive and one way. There clearly is a balance of considerations, and every hon. Member will have to make up his or her own mind at the end of the debate about where the balance lies between the risks that have been focused on in the past few minutes and the injustice that many people feel that two hon. Members have experienced as a result of what has occurred in recent times.

Mr. Campbell-Savours: The right hon. Gentleman is Chairman of the Select Committee on Standards and Privileges. I have been a member of that Committee sufficiently long to realise that the test that he sets in any debate is that we go to the very nth degree to ensure that what we are doing is absolutely correct, because we do not—especially the right hon. Gentleman as Chairman—want to be party to mistakes. Does he not feel that, on this very important issue, he should be sitting in the Chair of the Committee and that we should be taking evidence to ensure that a mistake is not made? The Committee might well approve it. I simply do not know. We may reject it. But we cannot afford to take that risk without the fullest inquiry.

Mr. Newton: I am grateful for the complimentary nature of the hon. Gentleman's earlier remarks. There was sufficient concern in another place to consider it right to raise the issue in relation to the Bill, and in the event they decided to insert what is now clause 13. That—inescapably, it seems to me—gives me a duty to set out as fairly as I can the balance of consideration for the House to take into account when deciding whether it wishes to proceed. Clearly, the hon. Gentleman will argue that it would be a mistake for the House to proceed in this way, either because he is against it or because he feels that the implications have not been sufficiently explored. That is a point for him to argue, and if he does so with sufficient persuasion no doubt the House will reach a different decision from that currently in the Bill. That is what we are talking about tonight.

Mr. Jeff Rooker (Birmingham, Perry Barr): The other place agreed clause 13. The great distinction between clause 13 and new clause 9 is that the latter exclusively affects Members of Parliament of either House. Clause 13 gives the power to waive privilege to all witnesses before Select Committees and to any and every Officer of the House who may be called to give evidence. What are the consequences of witnesses who come before a Select Committee in the knowledge that, in future, they may want to waive their privilege if a case comes to court? Surely the place to discuss the consequences and ramifications of the possible distortion of the evidence that such a witness may give is the Select Committee on Standards and Privileges, which the right hon. Gentleman chairs with such distinction, and not on the Floor of the House, as we have not debated clause stand part and the clause was not in the Bill at the beginning.

Mr. Newton: I am grateful for the last part of the hon. Gentleman's remarks. The rest are points of argument about what decision the House will have to take at the conclusion of the debate. I hope that it is clear by now that nobody—certainly not me—is dismissing the points that have been made, although on balance I would probably come to a different conclusion as an individual. There clearly are, as I have acknowledged, a number of factors that the House needs to take into account when considering the matter. Indeed, I had hoped to set them out relatively briefly in the course of my remarks.

Sir Peter Tapsell: It has been more than three centuries since the Bill of Rights 1688 was put on the statute book. Am I right in thinking that the tradition of the House is that if the integrity of an hon. Member in discharging his parliamentary duties is seriously impugned by an outside body, the Privileges Committee investigates the matter,

that if it is found that the hon. Member has seriously misbehaved, he is punished by the House, and that if the allegations against the hon. Member are unfounded, the person or organisation bringing the allegation is seriously punished by the House? Why could not the Select Committee on Standards and Privileges have dealt with this matter?

6.15 pm

Mr. Newton: Perhaps others will wish to comment, because it is not for me to say why particular people took particular actions at particular times. I have to cope with the fact that the clause was added to the Bill in another place, as they felt that it was an appropriate way of tackling what everybody acknowledges is a problem. Whatever else may be realistic to suppose about the activities of the Select Committee on Standards and Privileges, it should also be acknowledged that it would not be in a position to impose an award of damages against a person who was judged to have libelled somebody. There would be widespread objection—certainly in this day and age—to some fine or award of damages being imposed by a Committee of the House in the circumstances that my hon. Friend seems to be postulating.

Sir Peter Tapsell: With great respect, I do not think that my right hon. Friend has answered the question. I did not raise the question of damages, which arise only if the case goes to court. Why cannot the merits of the case be handled by the Select Committee on Standards and Privileges and a decision made in the terms that I mentioned in my earlier question? I thought that that was why the Committee existed.

Mr. Newton: The Committee of Privileges—the Select Committee on Standards and Privileges, as it now is—obviously seeks to examine matters that are referred to it. On the cases that led to the debate tonight, I have already made the point that it was felt appropriate in another place to tackle the matter by a change in the law to enable Members of Parliament to pursue their cases through the courts in such circumstances in the same way as anybody else. That does not exclude the Select Committee from investigating the matter, were it to be asked to do so, but many people would feel that that alone would not be adequate where a Member of Parliament was in effect—or felt that he had been—libelled in respect of his actions within the House.

Mr. Tam Dalyell (Linlithgow): In making up their mind, did the Government consider the entire corpus of decision making, which goes back to the case of George Strauss *v.* the London Electricity Board in relation to what is and what is not a proceeding in Parliament? That case has served us quite well over the years.

Mr. Newton: The hon. Gentleman echoes one or two points that have been made by his hon. Friends. Again, it is a point of argument. It is one of the factors that the House needs to take into account in reaching a judgment at the end of the debate.

The case for the clause can be put simply. In essence, it would enable justice to be done in defamation cases such as that brought by my hon. Friend the Member for Tatton. As the House well knows, provided that my hon. Friend—or anybody else in those circumstances—waived his protection, which the clause would allow him to do, the defendants in the case would be able to call evidence relating to the proceedings of the House to justify the allegations that they published, and the issue between them and the plaintiffs could be tried by the court. If the plaintiffs went on to win their case, they would be able to clear their names of the charges against them, a matter to which those affected would naturally attach great importance. Furthermore, they would be able to recover damages—which they could not do if they were able only to resort to the machinery that exists within Parliament for dealing with such cases by way of a complaint of privilege.

There is a substantial case to be made for the clause. On the other hand—this echoes a point that I have acknowledged on a number of occasions—it is, of course, also the case that any interference with the Bill of Rights, which has stood the House in good stead for more than three centuries, is a matter of great importance, which both Houses are rightly anxious to assess with the utmost care.

One line of criticism is that the clause gives unfair advantage to Members of Parliament. I do not think that the hon. Member for Brent, South made that point, but the argument is that a Member would be able to put his conduct in Parliament before the courts when it suited him if he thought that he had been defamed, but would continue to enjoy absolute protection from liability if he said something in the House about another person that would have been defamatory if he had said it outside the House.

The House will doubtless agree that it is essential to preserve—as the clause does—the core privilege of protection from liability in respect of proceedings in Parliament, without which the exercise of free speech in Parliament cannot be upheld. Lord Hoffmann commented on that in another place, arguing that, while there was an obvious public interest in freedom of speech in Parliament, there was no public interest in allowing anyone free licence to make defamatory statements about what hon. Members do in the course of their parliamentary duties. Personally, I agree with that.

Another concern that has been expressed—the hon. Member for Brent, South did touch on this—is that, once hon. Members were enabled to waive protection, they could be put under pressure to do so when they did not wish to. That problem does not arise in the case of my hon. Friend the Member for Tatton, but it could conceivably arise in other cases, including the case on which the hon. Member for Brent, South speculated—a case in which the conduct of one hon. Member was inextricably linked with that of another. That is yet another factor that the House must take into account in making a decision.

Mr. Boateng: But that is precisely the point that will arise in relation to the *The Guardian* case, in which the conduct of the hon. Member for Beaconsfield (Mr. Smith) has a direct bearing on that of the hon. Member for Tatton (Mr. Hamilton) as far as the newspaper is concerned. That is the reality of the case that led to the tabling of the

[Mr. Boateng]

clause. The conflict—or the danger of a conflict—between two hon. Members, one waiving protection and the other not waiving it, lies there.

Mr. Newton: The question of any link would be a matter for the court. I certainly do not want to be drawn into discussing what is and what is not linked in respect of any particular case. Let me tell the hon. Gentleman, however, that that dilemma, or potential problem, would exist just as much—and, I believe, more in some respects—if new clause 9 were adopted. Presumably, the House would then be able to impose on one Member a waiver that was not sought by that Member, but was sought by another. I do not see how the arrangement would work in any other circumstances. Otherwise, no answer is presented to the problem; the problem would, or could, arise in any event, whether on the lines of new clause 9 or on those of clause 13.

I accept that that line of argument leads the hon. Gentleman to the conclusion that he would prefer amendment No. 21 to new clause 9. That is what he implied towards the end of his speech. I am simply saying that I do not think that the solution that he seemed to prefer at the outset of the debate—new clause 9—is in fact a solution to the problem to which he just referred.

Mr. Boateng: I made it clear at the outset that hon. Members should not have to face such a choice. We should be in a position to choose freely which of the three options to support: the status quo, the whole House determining whether privilege should be waived or clause 13. If, as Leader of the House, the right hon. Gentleman had taken the initiative in relation to the ordering of the House's business and given the House that free choice—as the right hon. Member for Worthing (Sir T. Higgins) pointed out—we would not be in the invidious position of having to vote on new clause 9 first. We are having to do that precisely because the Government, in their neutrality, have abdicated their responsibility to the whole House.

Mr. Newton: Obviously, I do not accept that at all. What we are seeking to do at this very moment is to provide the House with an opportunity to make choices of the kind that the hon. Gentleman has described, and that opportunity arises because of what has been tabled.

Mr. Devlin: Amendment (a) to new clause 9 was clearly drafted by *The Guardian* with the aim of preventing the current cases being brought against it. Will the Committee of Privileges be looking into the motives of the hon. Member for North Durham (Mr. Radice), who tabled the amendment?

Mr. Newton: I am not aware of any proposal for the Select Committee on Standards and Privileges to look into that, but I am sure that, if an appropriate complaint were made to the Parliamentary Commissioner for Standards, he would examine it in the proper way—as Madam Speaker has indicated on a number of occasions.

Mr. Barry Sheerman (Huddersfield): Many of us who have been following the debate carefully would have expected the Leader of the House to slap down that last intervention, which constituted a vicious attack on my hon. Friend the Member for North Durham (Mr. Radice). I expect better of the right hon. Gentleman. Indeed, many of us are unhappy about the proceedings, because they do not seem to issue from a mature period of reflection. These are fundamental issues, but everything that the right hon. Gentleman has said so far persuades me—along with many of my hon. Friends—that we are involved in a short-term quick fix. This is not the way in which to debate an arrangement that has served us well for 300 years.

Mr. Newton: I think that the hon. Gentleman will find that what I said about the proper course for referring complaints to the Parliamentary Commissioner for Standards was said in pretty much the same terms as those in which I have said it to hon. Members on both sides of the House who have raised possible complaints in the period since the new machinery was set up. I do not accept the hon. Gentleman's interpretation.

Mr. Gerald Bermingham (St. Helens, South) *rose—*

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) *rose—*

Mr. Newton: I will give way to the hon. Member for St. Helens, South (Mr. Bermingham), but if I continue to give way no one else will have a chance to speak.

Mr. Bermingham: Having sat here listening to the debate, and having watched it earlier on television, I am struck by the fact that the issue is complicated and confusing, and by the fact that the House has not been properly briefed. *[Interruption.]* We hear the twittering of ignorant birds again. As I was saying, the issue is complex, and most hon. Members have not been briefed in any great depth. It has slipped through from another place. If we are to change 300 years of history, perhaps we could do it with a little more decorum and be given a little more time. We need a much more wide-ranging discussion.

Mr. Newton: Again, that is a point of argument. The hon. Gentleman is advancing reasons why he believes that it might be right to go down the path recommended by the hon. Member for Brent, South—or one of those paths. Let me reiterate my position. Clause 13 is in the Bill, and I am doing what I can to sketch some of the factors that the House ought to have in mind in reaching a conclusion, in relation to either new clause 9 or amendment No. 21.

Mrs. Dunwoody: Will the right hon. Gentleman give way?

Mr. Newton: Yes, but this must be more or less the last time.

Mrs. Dunwoody: As a non-lawyer, I am now totally confused. I would be grateful if the right hon. Gentleman would make the position clear to me, as an hon. Member with a vote. Is he saying that, in future, a Member of Parliament will be able to waive the privileges and protection of the House when it suits him, and will not have to when it does not? Is he also saying that, on that basis, the House will not be able to vote to maintain its existing arrangements this evening? If that is what he is

saying, I should be grateful if he would make it clear so that we know exactly what we are voting for in relation to the powers of the House.

Mr. Newton: I do not think that the hon. Lady is entirely right, on the basis of the guidance that Madam Speaker gave the House earlier. I hope that I am correct. If new clause 9 were accepted, it would leave certain provisions in the Bill, albeit different from those that are in it now; but if it were rejected, there would still be amendment No. 21, which in effect removes clause 13. I think that I have that right.

Mr. Rooker: With respect to the Leader of the House, new clause 9 does not knock out clause 13. The House could send back this Bill to the other place with both clauses in and let it clear up the mess. So voting on this matter will be rather more complicated than he explained.

Mr. Newton: I would not seek to presume on the Chair's prerogative, but I was seeking to explain that—as I understood what Madam Speaker told the House earlier, when the point was raised by my right hon. Friend the Member for Worthing (Sir T. Higgins)—were the House to decline to accept new clause 9 and to agree amendment No. 21, the effect would be that clause 13 had disappeared from the Bill and had not been replaced.

Mr. Campbell-Savours: Will the Leader of the House confirm that what my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said is absolutely correct and that the Bill provides exactly for her interpretation?

6.30 pm

Mr. Newton: I do not think that it does, and I have just sought to explain why it does not. I understood the point made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody)—I do not want to misinterpret her or any other hon. Member—to be that there were no means by which the House could remove clause 13 without having new clause 9, whereas in fact it was made clear earlier today that that result could be achieved by the House voting for amendment No. 21. That is all that I am seeking to make clear, and I hope that it has been helpful to the hon. Lady.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. I apologise for raising a point of order when you took the Chair only a few moments ago and also for interrupting the speech of the Leader of the House, but it is clear that there is considerable unhappiness in all parts of the House with proceeding with a very important matter and, in particular, confusion over what opportunity hon. Members will have to express their view when the Division is called. Mr. Deputy Speaker, will you consider the order of business to enable the House to vote, first, on new clause 9, and then immediately after to vote on amendment No. 21, or conversely? As I understand it—

Mr. Deputy Speaker (Mr. Michael Morris): Order. I have heard the hon. Gentleman's question, but I cannot account for hon. Members' unhappiness. The answer to the hon. Gentleman's request is no, it is not possible.

Mr. Devlin: On a point of order, Mr. Deputy Speaker. Is it in order for hon. Members to come into the Chamber and then to stand up and say that they are confused because they have not listened to the debate?

Mr. Deputy Speaker: That is not a point of order for the Chair.

Mr. Newton: I was about to come to the third point—it has already surfaced in the debate, and concern has been expressed about it—which is the relationship between Parliament and the courts.

As we know, in broad terms, article IX keeps the courts out of Parliament's business, and the sub judice rule that operates in the House keeps Parliament out of the courts' business. The proposal would inevitably let the courts into an area from which they are currently excluded, and it would be for the courts to decide how far to go in each case in inquiring into the proceedings of Parliament. If the clause was passed, the courts would have to decide for themselves exactly what it meant in particular circumstances, and the precise scope of the protective provisions that restate the traditional effect of the Bill of Rights.

Some observers consider that the courts are already tending to take a more restrictive view than the House has traditionally done of the protection afforded by the Bill of Rights—such as the judgment in the case of Pepper *v.* Hart, for example, in which it was held that the courts could in certain circumstances use *Hansard* for the purpose of interpreting a statute. Again, that is one of the factors that the House will have to bear in mind in reaching a decision.

I should like to say a few words about new clause 9, which was moved by the hon. Member for Brent, South, and to note the two differences of substance between new clause 9 and clause 13.

Mr. Campbell-Savours: Will the right hon. Gentleman give way?

Mr. Newton: If the hon. Gentleman will forgive me, he has made a number of interventions, and I think that it would be more appropriate for him to make a speech later in the debate.

The first difference of substance is that the clause applies solely to Members or former Members of either House. A witness before a Select Committee who was defamed in respect of his evidence would have no opportunity to seek redress in the courts, whereas a member of the Select Committee who had been libelled in respect of a question he had put to that witness would have such an opportunity. The House will want to consider whether it regards that as an equitable outcome.

The second difference of substance is more substantial. Clause 13 envisages the waiver of protection by an individual hon. Member, without the House having any say in the matter. Conversely, new clause 9 allows either House to waive protection on a petition from an hon. Member or former hon. Member who is a plaintiff in a defamation case.

It is of course the case that parliamentary privilege belongs in the first instance to the House, and only then to its hon. Members. "Erskine May" states at page 69:

"it is only as a means to the effective discharge of the collective functions of the House that the individual privileges are enjoyed by Members."

In practical terms, it is very difficult to see on what basis the House could reasonably allow a waiver in one case and decline to allow a waiver in another case. In my judgment, it is much less difficult to envisage circumstances in which a decision by the House might be much influenced by factors other than the objective merit of the case—at the worst, of course, the decision might become the focus of a straightforward partisan dispute.

[Mr. Newton]

We should at least face up to that possibility, which would be very damaging to all hon. Members and would certainly be of no help to parliamentary privilege.

Mr. Campbell-Savours: I am sorry to press the Minister, but will he answer another question for me? Could an hon. Member waive privilege and thereby enable a court to draw on an original document prior to a sidelining amendment by a Committee, which means the deletion of matters that the Committee feels should not be made available outside the Committee?

Mr. Newton: I think that that is a variant of the hon. Gentleman's earlier question, to which my right hon. and learned Friend the Attorney-General replied. I have already said that my right hon. and learned Friend will seek to assist the House further on such points later in the debate if that is thought to be helpful.

The House should recognise that it is the individual hon. Member who is taking the risk in waiving the protection afforded by article IX of the Bill of Rights so as to allow the court to hear evidence about his conduct, and it should be for him alone to decide whether the protection should be waived.

A point of detail arises on amendment (a) to new clause 9, which is in the name of the hon. Member for North Durham (Mr. Radice), and on amendment No. 43 to clause 13, which is in the name of the Leader of the Opposition. As has become clear, if either of those amendments is agreed to, an hon. Member who is libelled in 1997—next year, for example—in respect of something that he has done in Parliament will be able to get justice in the courts. But my hon. Friend the Member for Tatton, who believes—and wishes to prove, as he has repeatedly made clear—that he was libelled in 1994 in respect of something he had done in Parliament, would still be denied an opportunity to clear his name.

The hon. Member for Brent, South has given his reasons for believing that that would be an appropriate outcome, and, of course, all hon. Members would acknowledge that the House is rightly suspicious of anything that smacks of retrospective legislation. But I find it hard to understand how that can be retrospective legislation in the sense that normally causes concern. We are not making unlawful some action that was lawful at the time it was performed, but we are removing a barrier to the hearing of evidence that the parties to the case of my hon. Friend the Member for Tatton wish to call. I also remind the House that my hon Friend's case has not been struck out. It has only been stayed, and is therefore capable of being revived.

I underline the fact that the protection of article IX could be removed from an hon. Member only if he wanted it to be removed. All hon. Members can agree that there should be no question of an hon. Member who has not sought a waiver finding what he has said or done in the House exposed to scrutiny in the courts. That applies just as much to words and actions that lie in the past as it does to words and actions in the future, after this clause—were it to be agreed to and remain in the Bill—has come into operation.

So there need be no anxiety that words that have been spoken in this House by an hon. Member in the belief that those words would not be scrutinised by the courts may now be exposed to such scrutiny against the hon. Member's will. In my view, if Parliament believes that it is right to allow hon. Members an opportunity to waive the protection of article IX in the circumstances that we have been discussing, it is right that Members of Parliament currently affected by a case that has been stayed should be allowed to benefit in the same way as hon. Members whose cases may arise in future.

I hope that I have given fairly good reasons for believing that clause 13 is a more satisfactory solution than new clause 9. I make it clear that that is my view—but a personal view, and not one that I state on behalf of the Government. I personally prefer clause 13 to new clause 9. We return to the central question raised by the hon. Member for Crewe and Nantwich as to whether it is right to tackle the problem at all by legislating at this time. There are clearly differences of opinion. I have repeatedly emphasised that the issue is for the individual judgment of my right hon. and hon. Friends, but I should conclude by remarking that my personal judgment is that it is right to tackle the problem. I expect to cast my own vote—I make this clear as a matter of fact, not a point of argument—to preserve clause 13 as it stands.

Mr. Peter Shore (Bethnal Green and Stepney): I am struck by the lack of enthusiasm for both clause 13 and new clause 9. The Leader of the House and the hon. Member for Brent, South (Mr. Boateng) have largely succeeded in convincing me that we would do better to leave things as they are, particularly as we have not had the benefit of a study by a Joint Committee of both Houses and as clause 13 was introduced at a late stage in the other place and appears before us tonight for the first time.

It is obvious that the privileges of the House are enormously important to the House collectively as well as to Members of Parliament individually. The one strength of new clause 9 is precisely that it recognises that the waiving of privilege is the concern not only of an individual hon. Member but of the whole House. New clause 9 requires that, before initiating defamation proceedings, an hon. Member should petition the House or the Select Committee on Standards and Privileges for consent to waive the protection accorded to us all by article IX of the Bill of Rights.

I have more confidence than some hon. Members in the seriousness of the Standards and Privileges Committee. It can be relied on not to allow personal likes and dislikes to affect its judgment. Moreover, it will thoroughly consider all the possibilities before it consents to infringing the rights of other hon. Members or of the House.

For three centuries, Parliament and its Members have been protected by the famous words of the Bill of Rights that our proceedings

"ought not to be impeached or questioned in any court or place out of Parlyament."

We all agree that that protection should not lightly be breached.

There is a case for allowing an hon. Member to waive his or her historic privilege in pursuit of defamation proceedings and, in making it, it is helpful to have the safeguard to which I have referred—that of obtaining the prior consent of the whole House. Hon. Members inevitably have in mind the case involving the hon.

Member for Tatton (Mr. Hamilton). He maintains that he was libelled by *The Guardian*, which alleged that he had received money from Mr. al-Fayed via Ian Greer Associates for tabling questions in the House. The hon. Gentleman and Ian Greer Associates—one of whose senior executives is a constituent of mine—immediately sued for libel, but the case could not proceed after Mr. Justice May ruled in the High Court that as the evidence directly involved proceedings in Parliament it was blocked by article IX of the Bill of Rights.

The hon. Member for Tatton maintains that that is unjust and that he has been denied a remedy available to other citizens of the United Kingdom by a provision in the Bill of Rights that was enacted not for that purpose but to ensure that we enjoy untrammelled free speech in Parliament.

6.45 pm

I am not entirely clear whether a parliamentary remedy remains available to the hon. Member for Tatton. The Parliamentary Commissioner for Standards is considering a document that contains allegations against the hon. Gentleman and others, and I understand that the issue is likely to be reported to the Select Committee on Standards and Privileges. Is it not possible for the hon. Member for Tatton to pursue his case before that Committee? I do not know the answer. Whatever it may be, privilege poses an additional problem to individuals whose names are associated with the alleged wrongdoing of an hon. Member. In this case, *The Guardian* alleged that payments were made through Ian Greer Associates. The company says that it has lost reputation and business as a consequence but has no remedy unless the Member of Parliament waives his privilege. That aspect should be considered when the House decides whether to support any of the amendments.

Mr. Allason: Will the right hon. Gentleman give way?

Mr. Shore: I am coming to the end of my remarks.

Although I support new clause 9—just—I am not persuaded that amendment No. 43 should be agreed as it directly excludes any case initiated before the Bill is enacted, which seems unfair to the plaintiffs.

Sir Terence Higgins: I am struck by the fact that many aspects of the argument do not emerge at first sight. I am clear that the issue should be examined by a Joint Committee of both Houses. We have not previously considered a wide range of aspects. The House is rightly jealous of its privileges. The question is whether, by accepting clause 13 or new clause 9, we shall undermine our privileges. Over the centuries, the Bill of Rights has ensured that there is no conflict between the House and the courts, but we suddenly find that the courts are dealing with matters that affect us. That point was made by Lord Simon of Glaisdale in another place:

"In the most recent case that reviewed this matter . . . it was emphasised that it would be quite intolerable if there were two inquiries going ahead simultaneously or overlapping, one by the courts of law and one by the House of Parliament. The amendment"—now clause 13—

"would land us in a whole number of respects in precisely that situation."—[*Official Report, House of Lords*, 16 April 1996; Vol. 571, c. 31.]

We cannot allow that, especially as the Bill did not contain such a clause when it was first introduced in the House of Lords. The clause was introduced in a strange way—in an amendment for which the proposer did not vote. Clearly, we have to consider the matter extremely carefully.

As the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said in an intervention a few moments ago, our procedure is not satisfactory. As I understand it—and as Madam Speaker has confirmed—initially we can vote on new clause 9. If it is carried, we shall go on to consider amendment No. 21, which effectively would create a hole into which new clause 9 would slot. If new clause 9 is defeated, we shall vote on amendment No. 21, which would delete clause 13. That creates a problem for hon. Members who feel that new clause 9 improves clause 13, but would prefer to knock out clause 13. With great respect to my right hon. Friend the Leader of the House, we do not have that choice, which raises a difficult question about which way to vote. I hope that many hon. Members who are not present in the Chamber are watching the debate on television as they will have to decide how to vote on new clause 9 and on amendment No. 21 should new clause 9 be defeated. It is a complicated and difficult matter.

I have already pointed out some of the potential dangers of accepting either new clause 9 or clause 13. However, I should mention one point that had not occurred to me previously, and it is a matter of grave concern to me as a member of the Liaison Select Committee. If the House were to give an hon. Member the right to petition the House to waive parliamentary privilege, to what extent would that allow the courts to question proceedings in the House under the Bill of Rights?

My right hon. Friend the Leader of the House was not quite right about that. We have to consider what are proceedings in the House: that is an uncertain matter. It is not simply—as was suggested a moment or two ago—a question of evidence that hitherto had not been sidelined suddenly being revealed to public gaze when the Select Committee concerned thought that it should have been sidelined. Whether or not evidence is sidelined, if it proves to be relevant to a case in which the individual concerned has waived his privilege, the other side can ask to see privileged documents and can question them in court. That is precisely what the Bill of Rights has sought to prevent for hundreds of years, and for very good reason.

I am particularly concerned about evidence that has been give to Select Committees in confidence. We all know the difficulties involved in Select Committees taking evidence in confidence if the witness feels that it may be revealed subsequently. We have been over those arguments many times before.

Witnesses will be more hesitant about giving evidence in confidence if they believe that it will be challenged in court and that it will not be treated in confidence by the House, even though the Select Committee and the House had promised that it would be. That had not occurred to me until this afternoon, but it is another reason why the matter should be considered in greater depth and not decided on the basis of an amendment that was carried somewhat haphazardly in another place.

[Sir Terence Higgins]

For the reasons that my right hon. Friend the Leader of the House gave, new clause 9 appears to be some improvement on clause 13. It would restrict the waiving of parliamentary privilege to hon. Members, although whether that is fair on witnesses, who would not be able to waive parliamentary privilege, is another matter. Again, there are two arguments to be considered.

Mr. Newton: I may not have made it sufficiently clear that I prefer clause 13 to new clause 9, partly for the reason that my right hon. Friend has given.

Sir Terence Higgins: That is the essence of the dilemma. The question is whether to vote against new clause 9 although it may be an improvement on the status quo.

My right hon. Friend pointed out the other difference between clause 13 and new clause 9. Under clause 13, the matter is left entirely to the discretion of the individual hon. Member—I have already mentioned some of the potential hazards—but under new clause 9 an hon. Member has to petition the House, which may accept his petition. As my right hon. Friend said, that may involve party politics.

I find myself in the position of night watchman in a cricket match, as it is clear that the debate will continue later and we cannot make an immediate decision.

It is probably advisable to vote for new clause 9. If it is carried, with all its imperfections, it will go back to the House of Lords for a decision, where, I hope, their Lordships will decide that clause 13 should be deleted and the matter referred to a Joint Committee of both Houses. If it is defeated, we shall then have the opportunity to vote on amendment No. 21. That will be difficult as we may or may not win.

On reflection, I believe profoundly that the matter should be considered further. It is clear from what has been said that we do not have all the facts to hand. Important issues of parliamentary privilege that affect proceedings on the Floor of the House and in Select Committees have been raised and I hope that they will be considered further.

Mr. Menzies Campbell (Fife, North–East): In accordance with the spirit of the House, I associate myself entirely with the remarks of the right hon. Member for Worthing (Sir T. Higgins). His analysis of the consequences of voting is clear beyond question and the House would be well advised to follow his advice. I shall certainly advise my right hon. and hon. Friends to do so.

Mr. Boateng: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 11

LIMITATION OF ACTIONS: SCOTLAND

'(1) The Prescription and Limitation (Scotland) Act 1973 is amended as follows.

(2) In section 18A (limitation of defamation and other actions), for subsection (1) substitute—

"(1) Subject to subsections (2) and (3) below and section 19A of this Act, no action for defamation shall be brought unless it is commenced within a period of one year after the date when the right of action accrued."

(3) In section 19A (power of court to override time–limits, etc).

(a) for subsection (1) substitute—

"(1) Where a person would be entitled, but for any of the provisions of section 17 or section 18 and 18A of this Act, to bring an action, the court may, if it seems equitable to do so, allow him to bring the action (or to bring any specified cause of action to which the action relates) notwithstanding that provision."

(b) after subsection (1) insert—

"(1A) In acting under this section in respect of causes of action falling within section 18A of this Act, the court shall have regard to all the circumstances of the case and in particular to—

(a) the degree to which the operation of section 18A of this Act prejudices the pursuer or any person whom he represents;

(b) the degree to which any decision of the court under this section would prejudice the defender or any person whom he represents;

(c) the length of, and the reasons for the delay on the part of the pursuer;

(d) where the reason or one of the reasons for the delay was that all or any of the facts relevant to the cause of action did not become known to the pursuer until after the end of the period mentioned in section 18A—

(i) the date on which any such facts did become known to him; and

(ii) the extent to which he acted promptly and reasonably once he knew whether or not the facts in question might be capable of giving rise to an action; and

(e) the extent to which, having regard to the delay, relevant evidence is likely—

(i) to be unavailable, or

(ii) to be less cogent than if the action had been brought within the period mentioned in section 18A.

(1B) In the case of an action for malicious falsehood brought by a personal representative, the references in subsection (1A) above to the pursuer shall be construed as including the deceased person to whom the cause of action accrued and any previous personal representative of that person."

(4) The amendments made by this section apply only to rights of action arising after the section comes into force.'.—*[Mr. Brooke.]*

Brought up, and read the First time.

Mr. Peter Brooke (City of London and Westminster, South): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 41, in clause 18, page 13, line 13, at end insert—

'section (*Limitation of actions: Scotland*) (time limits for actions for defamation or malicious falsehood)'.

No. 42, in clause 19, page 14, line 3, leave out '5 and 6' and insert

'5, 6 and (*Limitation of actions: Scotland*)'.

Mr. Brooke: It is a remarkable coincidence that I should rise to move new clause 11 when, in rather less than a minute's time, my speech will be interrupted and I shall sit down, only to be called immediately to move the Second Reading of the King's College London Bill *[Lords]*. I therefore must occupy this brief period with

niceties and allusions to the fact that my hon. Friend the Member for Eltham (Mr. Bottomley), in whose name the new clause also stands, spoke on the matter in Committee and who I know—

It being Seven o'clock, and there being private business set down by direction of THE CHAIRMAN OF WAYS AND MEANS *under Standing Order No. 16 (Time for taking private business), further proceedings stood postponed.*

King's College London Bill *[Lords]*
(*By Order*)

Order for Second Reading read.

7 pm

Mr. Peter Brooke (City of London and Westminster, South): I beg to move, That the Bill be now read a Second time. *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Morris): Order. I ask hon. Members to withdraw from the Chamber unless they are taking part in the debate. Further to that, I ask hon. Members who are having a dialogue on the previous Bill to do so outside the Chamber.

Mr. Brooke: The Bill is promoted jointly by King's college London and the united medical and dental schools of Guy's and St. Thomas's hospitals. For brevity, I shall refer to the latter as UMDS. Both are part of the university of London. I should declare an interest. I am a fellow of King's college and a member of the council of the university of London. The main campus of King's college lies at the heart of my constituency.

The Bill is designed to bring about the merger of King's college and UMDS. However, the scene is a little more complex than that. King's college already has a medical and dental school: King's college school of medicine and dentistry. Following the merger, King's college—a multi-faculty institution—will have an integrated medical and dental school made up of the present UMDS and King's college school of medicine and dentistry. I shall return to that, because the coming together of the two medical and dental schools is key to the success of the merger.

The Bill's provisions are straightforward. In large measure, they follow those of other private Acts, merging medical schools with multi-faculty colleges. The Bill has a lengthy preamble that recites the history of the formation of King's college London and UMDS. King's was founded by charter in 1829. The histories of St. Thomas's and Guy's can be traced as far back as 1550 and 1769 respectively. The Bill is self-explanatory, but, as there is only a small number of key clauses, I shall at this juncture rehearse their rationale and relevance to the purpose of the Bill that I have just described.

Clause 3 provides that King's college school of medicine and dentistry and UMDS may agree a day to be the effective date for the proposed merger. Clause 4 provides for the dissolution of UMDS, and subsequent clauses provide for the transfer to King's of UMDS's property, obligations and rights. Clauses 6 and 7, together with schedule 2, protect certain properties of UMDS for 10 years. During that period, the use of those properties may not be changed without the approval of a body that the Bill establishes, which is the continuing trustees of UMDS. Clauses 15 and 16 amend the statutes of King's college so that UMDS will be appropriately represented on the principal decision-making bodies of King's.

I urge that the Bill be accepted for three main reasons. First, it is widely agreed that the integration of medical schools and multi-faculty colleges such as King's leads to improved quality in both medical education and research. Secondly, it is only by unifying two medical and dental schools of international distinction—UMDS and King's

[Mr. Brooke]

college school of medicine and dentistry—that further potential for achievement in medical and dental education, the biomedical sciences and research will be released. That is particularly true of research that increasingly relies on critical mass. Current research is about complex problems and requires big research teams and expensive equipment. Thirdly, the Bill has the overwhelming support of the respective councils of governors of the merging institutions, their staff and students. It has long been accepted that there are academic benefits—not least for students—as well as good administrative financial reasons for integrating free-standing medical schools into multi-faculty colleges.

As long ago as 1968, the royal commission on medical and dental education recommended that pre-clinical students should study in a multi-faculty environment—the London medical schools being unusual in being free-standing, independent schools. Since then, there have been a series of mergers of London medical schools with multi-faculty colleges: University College hospital medical school with University college London in 1979, St. Mary's hospital medical school with Imperial college, which are both in my constituency, in 1988, and the Middlesex hospital medical school with University college London in the same year.

More recently, the inquiry headed by Sir Bernard Tomlinson recommended that eight of the London undergraduate medical schools be merged into four faculties of medicine in the multi-faculty colleges of the university of London that teach medicine. The Higher Education Funding Council for England has been asked by the Government to take the recommendation forward. Of the mergers recommended, in addition to the proposed merger of UMDS and King's, the merger of Bart's and the Royal London hospital medical schools with Queen Mary and Westfield college has already been authorised by an Act that was passed in November, and the Bill to merge the Royal Free hospital school of medicine with UCL is awaiting Royal Assent.

As I said, the unification of UMDS and King's has the overwhelming support of the respective councils of governors of the merging institutions, their staff and students.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): As a very proud former student of King's—although not of the departments with which the Bill is concerned—I should like to confirm whether every member of staff and student supports the merger. If so, I shall vote for the Bill.

Mr. Brooke: I do not know whether I can say that support is unanimous, but there is overwhelming support in the bodies that are coming together for the scheme. I thank the hon. Gentleman for being present as a graduate of the college.

The proposed merger has been seen as the way forward for a long time. The two institutions began discussions about coming together as early as 1989. Indeed, before the Tomlinson report was published, they had already signed a memorandum of agreement to merge. So the development was pre-Tomlinson. Practical planning for the proposed merger is well advanced, not only administratively but academically.

For example, from 1998, King's and UMDS will have a common curriculum for third-year study—the first year of the clinical focus of the five-year undergraduate medical programme. By 2000, King's and UMDS will offer a joint curriculum. That advanced stage of academic planning is one of the main reasons why UMDS and King's want the merger to go ahead with all speed within a unified management structure. Delay at this stage would not only frustrate the introduction of the joint curriculum to which I referred, but, more important, reduce the morale of staff who have so enthusiastically been planning a joint future. Uncertainty would also result, with consequent adverse effects on staff, students and research teams.

UMDS and King's believe that their merger will provide unparalleled opportunities for the further development of their unified medical and dental schools as a centre of national and international distinction in teaching and research. It will improve significantly the opportunities for interdisciplinary and intradisciplinary integration in pursuit of both teaching and research excellence. Resulting economies of scale will ensure that the merged college is a cost-effective institution, both in terms of space utilisation and recurrent and capital expenditure.

The proposed consolidation of biomedical sciences, currently taught on six sites, on the Guy's medical school and hospital site will be of great advantage not only academically but in terms of cost-effectiveness. The consolidation of biomedical sciences will require new build. That can be done at Guy's without any effect on present or future hospital services. The new build will replace Hunt's house, which the NHS planned to demolish in any case when phase III of the Guy's site development opens next year. The new build project could not be realised without the merger. King's and UMDS staff could not come together in the new building on any other basis. Moreover, the merger will enable the teaching of future doctors, dentists, nurses and other health care professionals to be undertaken together.

The merger will facilitate the important linkage between the education of medical and dental students and the clinical work of a hospital site, thus ensuring vertical integration of the curriculum. It will have the further advantage of concentrating medically related research groups alongside medical teaching and hospital services for patients, thus increasing opportunities for effective collaboration and cross-fertilisation of ideas. The present first-class academic facilities at Guy's hospital site will secure for the future King's medical student a unique educational environment.

The juxtaposition of academic and clinical facilities in one place will allow integrated teaching of basic science and clinical practice—the best possible educational experience, everyone agrees, for the teaching of medicine. Taken together with the first-class facilities at King's College hospital, Denmark hill, and St Thomas's hospital, that will guarantee the prospective medical student a rich and varied education.

Concerns may be raised this evening bearing on issues of health care provision, particularly at Guy's hospital, rather more than on the proposed merger of UMDS and King's. As far as Guy's is concerned, the present proposal from the NHS is that Guy's should continue to provide hospital and health services focusing on the needs of the

local community. I should make it clear that UMDS is a separate legal, financial and administrative entity from the Guy's and St Thomas's hospital trust.

UMDS and King's plans for the academic development of the Guy's site have no effect on available hospital space at Guy's and do not constrain either the national health service's present plans for the future of Guy's as a hospital, or, for that matter, any future plan for the development of that hospital. A strong academic base at Guy's will support the health services there, in providing a critical mass of patient work and a range of skills and expertise in clinical terms so as to ensure continuing high-quality treatment for patients at Guy's, as well as at the competing centres of excellence elsewhere in the capital.

The medical school merger plans will have a beneficial effect on health care provision at all three hospitals—Guy's, King's and St Thomas's. The various projects, including the massive academic development at Guy's in biomedical sciences and the enhanced academic provision at King's College hospital and St Thomas's, will support the health services in providing a level of work, a range of skills and expertise in clinical teams and high-quality treatment to enhance patient care, as well as teaching and research.

King's and UMDS's vision is that, by merging, they will be able to maximise the potential of two very successful university institutions. Principally, the merger will secure the academic critical mass, both to strengthen a number of areas of academic endeavour already of an international standard of excellence and to develop new initiatives. Thus the two institutions will be able to secure a place at the forefront of health education, clinical care and research, which they do not believe to be as achievable if they were separate institutions.

Before I finally commend the Bill to the House, I allude to a happy parliamentary coincidence this evening. The hon. Member for Southwark and Bermondsey (Mr. Hughes), who is present, will know of a previous reference that I have made in the House to the year 1808, when there were six Members of Parliament for my constituency, three representing Southwark and two for the rest of Middlesex. The debate this evening is surrounded by a major constitutional debate, redolent of the days of Wilkes, who was a Member of Parliament for Middlesex and subsequently lord mayor of London. It is a happy coincidence that this debate should be surrounded by a debate on a great constitutional development while the hon. Member for Southwark and Bermondsey and I demonstrate the longevity of both our constituencies.

I commend the Bill to the House.

7.15 pm

The Minister for Health (Mr. Gerald Malone): I am glad to have been able to catch your eye early in the debate, Mr. Deputy Speaker, to set out briefly the Government's support for the measure. I congratulate my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke)—as is customary when I follow him in a debate—on setting matters in their important historical context. I shall venture no suggestion that the rest of the House is somewhat relieved that the number of hon. Members has changed somewhat in the intervening 188 years. I shall leave that to the judgment of others.

My right hon. Friend set out the history of this much needed and welcome change which those involved wish to put forward. I welcome the Bill, which will take forward the agenda of all those involved. My right hon. Friend was right to point to the consensus among academics, clinicians, students and all those concerned with providing a high quality of medical education and research in this part of London, who have worked so hard to make the change possible.

As my right hon. Friend said, the plans have been the policy of the university of London for many years. He rightly pointed out that they continue independently of any health care provision changes that may be debated at present. The move towards uniting the medical schools with multi-faculty colleges will provide a broader base for teaching and improved links with basic sciences. But although they are independent of the changes now being implemented in the health service in south-east London, there are close working partnerships between the university and the NHS, and it is important for the provision of health care that those partnerships be reinforced in a number of ways.

It is sensible for the NHS and the medical colleges to work together constructively on all the changes, which will bring benefits to patients, and also support important teaching and research interests. It is in the interests of Londoners that they should have access to the full range of health services that they need, and it is also important that London's role as a centre of high-quality medical education and research be sustained and fostered. The latter ambition is at the root of the Bill.

My right hon. Friend rightly referred to the three reasons for or principles behind the change—quality in research and education; the fact that research nowadays needs to be on a supportable scale; and the principle of support from the institutions involved. Those are very important and underpin the Government's welcome and support for the Bill. We are pleased to work with the university of London and the Higher Education Funding Council for England in ensuring that service, teaching and research interests are balanced and that plans proceed in parallel to achieve coherent, consistent and managed change.

The schools and the college have close links with associated NHS hospitals, and those will be further supported with the collocation of teaching and research facilities with clinical services on the Guy's hospital site, as my right hon. Friend rightly said. Many of the new services being developed at Guy's include state-of-the-art day care and diagnostic services, and it is important that academic and research work is carried out in collocation with those.

One of the great strengths of our NHS is that we are able to provide research in parallel with service commitments. UMDS, King's college medical school and King's college London are recognised as organisations of high reputation that are successful in their own right. Their wish to come together will reinforce that excellence and produce new opportunities for the future. The proposals are widely supported. I am pleased to add the Government's support to plans that will ensure that a long tradition of outstanding medical education and research in south-east London will continue, which will be strengthened by the Bill.

7.19 pm

Mr. Simon Hughes (Southwark and Bermondsey): I am privileged to be able to take part in this debate and I do so wearing my hat as the Member of Parliament for

[Mr. Simon Hughes]

Guy's hospital, which, as the right hon. Member for City of London and Westminster, South (Mr. Brooke) introduced the Bill by saying and the Minister and other colleagues will know, is one of the sites for the united medical and dental schools—one of the partners in the proposed merger.

I must give one word of historical reply to my neighbour across the river, the right hon. Member for City of London and Westminster, South, who like me represents a constituency with one of the oldest pedigrees in the country. There have been Members of Parliament for Southwark since the 13th century. I believe that there have been more than 400, reflecting the fact not that they have each had a short span, but that there were two at a time for each of the constituencies until last century.

One of the great pleasures of a constituency such as mine—which is more rightly now called Southwark and Bermondsey, reflecting the two old boroughs south of the river—is looking after and advancing the causes of those institutions that are historically part of our community. We do so conscious of our history, but also conscious of our present. It is no mistake or accident that two of the greatest issues facing the Governments of our time are the futures of our education and health systems. The Bill is a microcosm at the higher education end of that debate, as it concerns the best arrangements in one part of the country for the best conjuncture of education and health.

The question is simple: to merge or not to merge. I will not divide the House on Second Reading. My job is to pose some questions that flow from the proposition of the right hon. Member for City of London and Westminster, South that there should be a merger—a proposition supported by the Minister.

The House will be relieved to know that I will not repeat the speech of the right hon. Member by tracing the history of how we come to be here. Due to a series of developments in London medical education, we have ended up with a merged medical and dental school south of the river, on two sites: the St. Thomas's site in Waterloo, just over the bridge from here in the constituency of the hon. Member for Vauxhall (Miss Hoey); and the Guy's site, at London Bridge in my constituency.

A merger is proposed between that institution and King's college, which provides academic teaching on the north bank of the river and clinical teaching on the south bank at King's College hospital, Camberwell. Ancillary issues are involved: students live in residential institutions, which are scattered around and are mainly south of the river.

It may surprise the right hon. Member for City of London and Westminster, South to learn that I do not intend principally to raise issues to do with health care and Guy's, although I am concerned about the linkage. The right hon. Gentleman stated three propositions as unarguable—one touches on the intervention of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). They are perfectly credible propositions, but I want to question them in turn, because there are counter-arguments.

The first proposition is that it is widely agreed that integration is a good thing. Although that is so, several reputable people dispute it in the case of London teaching hospitals and schools, so it is not an unarguable proposition.

The second proposition was that there is a critical mass for medical and dental academic institutions. I agree that there is, but I take issue with the claim that the merger is necessary for, and will produce, that critical mass. Indeed, the merger will make for a much larger institution than is normal in this country and countries of a similar size, and much larger than is recommended. It will be a very large institution, and there are arguments against it being so big.

Thirdly, on the intervention by the hon. Member for Merthyr Tydfil and Rhymney, I will not assert that the proposal does not have considerable support—I cannot do so. I do not doubt that there is majority support. However, I am aware from approaches made to me that that support is not unanimous, or even overwhelming. The people who are probably the most troubled are the students, but others who are academically involved in UDMS and, I gather, in King's—that is not in my constituency, so I know less about it—have certain concerns.

Given that I think that there will probably be no recorded vote on Second Reading, the hon. Member may want to make further inquiries, and I can put him in touch with some of the people who are concerned about some of the implications. I am grateful for his interest as a former graduate of King's, which is an eminent university college.

The right hon. Member for City of London and Westminster, South first tackled the drafting of the Bill, which is straightforward. The proposition is that, if there is to be a merger, one needs such a Bill. I will not discuss the details of the drafting, which will be a relief to some of those involved in it, whom I have known for a long time—I would not want them to be offended, but that is a more personal matter.

The Bill provides for an appointed day for the merger, and the date pencilled in is August next year. My collaboration will depend on whether I get assurances on and satisfactory answers to my questions—the date may have to be later.

Two other matters arise from the Bill's drafting. First, it will be a blessed relief to those living south of the river that we will lose a name that no one understands and gain one that, in theory, everyone would understand. The united medical and dental schools could be anywhere from John o'Groats to Land's End, or certainly from Aberdeen to Plymouth. It was not a very clever title—it was a bit clinical. I would not defend such a title, in which the historic names of the two original hospitals were lost.

However, I am not sure that the new title provided for in clause 12—

"the Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School"—

is a wonderful solution. It will not fit with ease on a rugby shirt, a rowing vest or anything else unless one is a very large fellow indeed, or a large woman. *[Interruption.]* Women's rugby is all the rage nowadays, and it will be an Olympic sport before we know where we are. Some of the people to be seen at St. Thomas' hospital and Guy's would be good candidates—if they do not play rugby already.

It is a minor issue, but we must get the name right. We want one with which we can all associate. No matter where they were educated, all hon. Members will agree that names matter a great deal.

Mr. Rowlands: I do not quite understand what the hon. Gentleman objects to. The Local Government (Wales) Act 1994 left us with Rhondda Cynon Taff.

Mr. Hughes: I remember that debate. I was educated in Wales and I still follow Welsh issues. However, even Rhondda Cynon Taff is only a third as long as the name proposed in the Bill. I do not want make a big deal about that, but it is a muddle that tries to get everyone's name into the title.

Thirdly, I should like the right hon. Member for City of London and Westminster, South to deal with the historical concern about the trust funds that belong to the trustees of the existing institutions. As in all such cases, there is some concern that, if the trust funds are merged, control will be lost and their original historic purposes will not be fulfilled.

I have seen the memorandum from the Charity Commissioners that says they are happy, and I know how the law on the merger of trusts works. There is, to put it mildly, nervousness that there may be a loss of control of funds that were given for particular purposes as a result of the merger. If there continues to be discontent, could the trust funds held by the trustees of the various institutions remain separate and be excluded from the Bill? That could be done under the law. If it would allay concerns, I might well argue for it.

The section of the documentation supporting the Bill called "The rationale for the merger" sets out the merged colleges' seven strategic objectives, which the right hon. Member for City of London and Westminster, South summarised.

First, there is the issue of critical mass. It is argued that the merger of two successful university institutions will result in the critical mass necessary to obtain a secure, linked set of academic centres of excellence that will enable us to keep our international reputation.

We are talking about institutions that already have a high international reputation. London medical schools dominate the top ten list of institutions that receive Medical Research Council funding. In the international lists of institutions with the highest academic standards and their research grants and successes, UMDS does extraordinarily well.

For example, in 1989 the French newspaper *Libération* published a guide to the top 100 universities in Europe. London's medical schools came top of that guide, which stated:

"The density of its network is such that this premier position is in no way a surprise: the different colleges of the university each on their own cover the full range of specialities."

There is a strong argument that it is the nature of the current institutions that attracts interest, investment and bright students from elsewhere.

A London university medicine administrator told my office only last week that Singapore and Malaysia will pay for their students to study in England only at Oxbridge or London university. For medicine and dentistry, they will not pay for them to go anywhere else.

I am sure that there is no dispute in the House that it is important that any change we make to the structures must safeguard and enhance the academic reputation and international pre-eminence of the institutions.

If we merge the two institutions, what will the student numbers be? What is the pattern of academic institutions in Britain and elsewhere? A learned article in the *British Medical Journal* in 1993 entitled "Undergraduate Medical Education" appeared in a selection of articles called "London after Tomlinson". It is both recent and academically attested. I hope that it will make my argument clear. It states:

"The Tomlinson report recommends the incorporation of all medical colleges into multifaculty institutions without giving any academic evaluation of its desirability . . . There are, however, few data to support the thesis that undergraduate medical education is more effective when conducted in a multifaculty environment."

I shall return to that point.

The article continues:

"the resulting medical colleges within the capital would be extraordinarily large, with some medical student intakes approaching 350. The General Medical Council's proposals for undergraduate education strongly recommend a reduction in the factual overload often generated within basic science faculties."

The article then debates integration, to which I shall return, before addressing the numbers question, about which it states:

"If the Tomlinson proposal was grounded in the belief that such mergers would produce economies of scale there is in fact little evidence to suggest that economies of scale exist in institutions that have merged.

Our personal prediction would be that in 10-20 years the debate will focus on how to unscramble these large schools, bringing ourselves into line with those in the United States, where intakes of 100 to 150 students are deemed desirable."

The new college will be considerably larger than other institutions in this country or in the United States. In paragraph 195, Tomlinson predicted that an intake of more than 200 to 250 would be bad, managerially and organisationally. The merger will produce an intake of 300. Chicago and Johns Hopkins, one of the most prominent medical schools in the United States, have a maximum intake of 100; Stanford's maximum is about 65. Are we sure that such large academic intake cohorts will benefit students?

People are seriously troubled about that. On the mainland of Europe, there are often hundreds of students doing an academic course at any one time. It may be possible to get away with that with academic teaching—a point that replicates our debates about class size. I am doubtful about that argument, and it has never been our tradition in England. In medicine, dentistry and applied sciences generally, the argument is even less strong.

The merger will also produce a dental school much larger than all other dental schools in Britain. Apart from Glasgow, dental schools have student intakes of less than 60. The optimum size recommended by the royal colleges and others is between 65 and 75. The UMDS figure is at present 88. I am not merely advancing a layperson's argument; the Nuffield inquiry into dental education, for example, made that point.

It has been put to me by academics and students that a dental school that takes 140 students a year would, under any foreseeable arrangements, be unmanageable. For heaven's sake, let us examine whether the critical mass

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will not be far too big. Where is the evidence that such a big school will work? There are no parallels, and the proposition is not supported by the academic evidence.

The second strategic objective argues that the merger will

"improve significantly the opportunities for interdisciplinary and interdisciplinary integration in pursuit of both teaching and research excellence."

That might be the case in parts of the country where there is not already a federal university. The parts of the university of London about which we are talking are near each other. London students are part of a larger family—if they want to mix, they mix; if they do not want to mix, they do not.

My university experience suggests that medics, dentists and vets do not naturally spend all their time with students studying other subjects, but traditionally stay together. It may be argued that that is not a good thing socially, but the argument for such mixing seems less well made in London than in any other place in the country as the collegiate structure already provides such opportunities.

I accept that UMDS is a free-standing university medical and dental school, and that such institutions are now in a minority. But that does not mean that its students are isolated either from those undertaking the other professional training mentioned by the Bill's promoters or from students studying other subjects. It is not as if UMDS students will be miles away from other students, whether undergraduates or postgraduates, studying something else.

There is also the questionable argument whether it will be better to integrate in this way. I challenge that argument, not because I believe that it is definitely wrong, but because strong and valid academic arguments suggest that it is not necessarily good. The arguments are as follows: if a highly regarded, internationally successful medical and dental school already exists, the benefits of merging may well be outweighed by the disadvantages. To put the question crudely: will the merger result in a sum greater than its constituent parts?

The recent experience of Bart's, Queen Mary and Westfield, and the London, which have done a double merger, shows that the merger may bring no short-term advantages, although it is accepted that it may have long-term advantages. Can we be sure of the long-term advantages when it looks as though there will be few, if any, short-term advantages?

Unit costs per student in London are already less than the national average. London medical students do not cost more than other medical students. Students at UMDS cost the taxpayer not more, but less, than average. What is the advantage of merging with another institution when that does not necessarily bring better value for money?

There are some strong arguments about the nature of the academic teaching. One argument is that there will be generic teaching—that has been going on at UDMS for some time. There is an argument that one can have too much generic teaching. There is an argument that, if someone is studying medicine or dentistry, he wants specific teaching and does not necessarily want to be entirely integrated into a course of life sciences.

At Bristol university, the joint lectures that were set up between the dentists, medics and other life science students have been abandoned because they became too general. It does not automatically follow that it is a good thing for non-clinical teaching to be carried out with other people if it is inappropriate. It would be the same as insisting on all-class teaching, when it would be more appropriate to set or stream. We must be satisfied about what we are doing; we must not blindly undertake such a policy when there is evidence that it has not worked elsewhere.

There are already links with other institutions—UMDS has strong modular links with University college London, for example. Why should it not be better to continue with that mix-and-match form of curriculum development rather than put everyone together on one integrated course as the proposal suggests? If the proposal were adopted and life sciences, medicine and dentistry were integrated, would that work in practice?

We must consider the fact that people studying for an ordinary life science degree such as biochemistry have a traditional academic year cycle, while people studying for a medical or dental degree have different cycles—they go on location to other hospitals, they go on electives elsewhere, they undertake six-month stints in different places, and they have shorter holidays. There are practical questions about whether the system will work. Those questions are raised both by the students and by those who teach them. They say that they are achieving perfectly good results, so why should anyone seek to integrate them when that may be contrived and unnatural?

The third strategic objective argues that the merger will

"provide a cost-effective institution, both in terms of space utilisation and recurrent and capital funding."

There are some serious questions to answer. I gather that the proposal will cost about £140 million—I should be grateful for confirmation. I also gather that, of that figure, about £70 million will be for the new biomedical block that is to come to the Guy's hospital site. I should say in passing that I hope that everybody will talk about it as the Guy's hospital site, not the London Bridge site—a title that has started to creep in as a way of writing Guy's hospital out of titles. Not surprisingly, the people at Guy's do not take too kindly to that.

Another question which arises links this debate to the one about Guy's hospital. The current proposal that the Minister of State and his colleagues are advancing about Guy's hospital will leave vacant considerable amounts of space in at least one of the tower blocks that currently form part of the Guy's hospital site.

It is no good looking at the cost of the academic development separately from the costs of the health service development. The cost of the health service development is the cost of Philip Harris house, which has escalated from about £50 million to well over £100 million. There is the cost of new build for mothers and children at Riddell house and other sites at St. Thomas's hospital and other further capital developments—all of which are eventually meant to be recouped in lower revenue costs.

There are serious concerns that, under the Bill, we are committing ourselves to large amounts of taxpayers' money which happens to be in the pocket marked "education" rather than "health". Under the heading of health we have committed ourselves to further money to build unnecessary buildings. They are unnecessary, because space will be available in buildings that already exist.

The Minister said that next year—I will believe it when I see it—the building at Guy's hospital that was to have been called Philip Harris house—history is being rewritten, and it is now to be known only as phase III—will eventually be open. It was due to be opened about two years ago, but there have been all sorts of problems and some less well explained delays. The National Audit Office is currently investigating the matter.

That building is meant to accommodate many of the health service facilities on the Guy's hospital site, but there will still be the two other relatively recently built buildings that are intended for health use. It will be helpful to know whether they will be used for health, or whether, as people at Guy's hospital and in the neighbouring community fear, they will be left virtually empty. In that case, they could be put to academic use. If so, why spend £140 million to put up buildings, some of which will not be needed because the necessary space will be available on part of the same hospital site at Guy's?

That is why I say that the cost-effective use of space and recurrent and capital funding must be examined in the context not just of the Higher Education Funding Council for England budget, but of the funding budget of the Department of Health. It is no good disregarding the fact that there will be a cumulative cost to the taxpayer, so the two must be looked at together.

The fourth rationale for the change is that it will consolidate the biomedical sciences currently taught on six sites on the Guy's medical school and hospital site at London Bridge. I understand the frustrations that have led to King's seeking to rationalise the use of its properties; working on one site instead of six would, of course, be an improvement. I will therefore not argue against the fourth rationale, but I want an assurance in writing that all the biomedical sciences will indeed be on one site. It is no good arguing for consolidation if students are moved either to the Denmark hill site in Camberwell or to the St. Thomas's site at Waterloo. We need to be sure that everything will be consolidated on the one Guy's hospital site.

The fifth argument is that the teaching of future doctors, dentists, nurses and other health care professionals should be combined. The idea is to integrate teaching in the health service, and I agree with it. It seems a worthwhile objective, with which I would not quibble.

The sixth proposal, however, cannot be borne out by the facts. It is that we should link the education of medical and dental students to the clinical work of a hospital site, "thus ensuring vertical integration of the curriculum, the key requirement of both the General Medical Council and Dental Councils in relation to future medical and dental education". That would be fine if, after accommodating all the medical and dental students in the new buildings at Guy's hospital, the teaching were done on the same site. But the Minister for Health and his colleagues have been busy shipping most of the in-patient beds away from Guy's hospital and off to St. Thomas's. That will defeat the object of the Bill. Academic work will be done on the Guy's hospital site, with out-patients, mental health patients and patients using the 112 elective beds, but most of the beds containing the patients on whom the students will need to learn will be at St. Thomas's, a mile or so down the road.

That is nonsense and unnecessary. If academic work is to be consolidated on the west side of the Maze pond—the western half of the Guy's hospital site—then the eastern half on the other side of the road should be used for medical health care. There is room to do that, because there is certainly room for a hospital with the number of beds needed to make the project viable on the other side of the site.

It appears that, wittingly or unwittingly, the Government are trying to implement two contradictory policies. Consolidating teaching with clinical practice is more important than ever nowadays, because students do not do a straightforward two-year pre-clinical and then go on to clinical: they start clinical work earlier. On the other hand, the Government are so arranging things that students can do this less frequently. The students in the combined institution will spend all their lives doing their lectures on one site, occasionally talking to out-patients and those who occupy the remaining beds there, but for all other work with patients, they will have to go to another site. That is exactly what we want to avoid.

The vertical integration of the curriculum with the clinical work of the hospital site will thus not be achieved by the Bill. The solution is to vary the proposals of the Minister for Health and his colleagues, who, over time, want to move most of the beds down the road to the St. Thomas's site. There is a good academically backed case for keeping a reasonable number of medical and surgical beds at the Guy's hospital site, where it can act as a secondary and tertiary hospital.

That is not inconsistent with the Government's strategy—I agree with it—of rationalising specialties; but that does not necessarily mean rationalising all specialties on one site—certainly not if the money does not add up. The longer the process continues, the more Philip Harris house and the building programme will cost. It will then become less necessary to start building on other sites, such as the mother and baby site at St. Thomas's.

When this Bill, as opposed to the merger, was first thought of, there was a proposal to have hospital services on both sites. Guy's and St. Thomas's would merge into one trust, so the reorganisation of services had not yet been fully worked out. Since then, however, cardiac, renal and neurological services have been rationalised, as had to happen because there was a need to consolidate. But there was then a failure to take into account precisely what the optimal mix of specialties and beds would be.

There are strong academic arguments to the effect that hospitals with up to 1,400 beds—that is what the merger implies—are far too big in terms of organisation, morale and business management. The Americans, the Scandinavians and academics in the UK are, according to all I read and hear, reaching the view that great big hospital sites bringing all beds under one roof no longer offer the best hospital organisation models.

That being so, the best logical solution is to use the space of the Guy's site and the space that King's decided it did not need in New Guy's house and Guy's tower for the original health service purposes. That will also be cheaper, because it will integrate academic and clinical work, and it will allow out-patients at the Guy's hospital site as well as other sorts of treatments there. This idea is also consistent with the fact that the most modern building in the entire health service, Philip Harris house, will just have been built.

Finally, the last rationale is that the merged college will be able to concentrate medically related research groups alongside medical teaching and hospital services for

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patients, thus increasing the opportunities for effective collaboration and cross-fertilisation of ideas. Hooray and amen to that. In that case, let us have the teaching and the clinical activity on the same site, so that the research, teaching and clinical activity can be together. If it is the plan for Guy's to be the academic site, let it be the academic site, but do not, at the same time, pull the rug from under us and take the medical activity away. It is not so easy to take the dental activity away.

The logic behind this argument is fatally flawed. People are arguing for the integration of a medical and dental school with a university college, which is fine; and they are arguing to put it on one site, which is also fine. However, they have realised that the site will lose most of the clinical activity that is needed.

I shall ask the Minister a specific question, and I am keen to get a specific answer. Will he give an undertaking that, after the proposed merger, the students will not be going to the King's college site or to the St. Thomas's site for their academic teaching? If they continue to go to the King's college site or to the St. Thomas's site, the purpose of consolidating will not be met.

It will be nonsense if, in theory, we consolidate and bring the three sites together, but, in practice, a significant number of the students still have to be bussed to three different sites south of the river. We need to be clear about this: either we go down a put-it-all-on-one-site road or we do not. If we do not, the merger is not nearly as justified; if we do, for heaven's sake let us put the clinical activity in the same place.

How much of the cost of the whole merger project and the creation of the whole new academic site is dependent on the private finance initiative? It is a coincidence that the debate is taking place on the day that the annual conference of the British Medical Association started. One of the BMA's great concerns—apart from the fact that it thinks that the health service is greatly underfunded, with which everyone in the health service could not but concur—is that the PFI has been dreamed up by the Government as a way of saving money, but that it has never been proven to be a good idea. There is no evidence that the PFI is delivering the goods.

For example, it was reported in the national press at the weekend that in Scotland the flagship of the PFI still has not had its contract signed—in fact, I understand that none of the PFI contracts has been signed. Last year, the Treasury was unpersuaded that the PFI was a good thing, and the Treasury Select Committee has expressed many doubts.

The people running the hospitals and the people in the health service are concerned that the PFI means that we will be signing up to deals that commit the provision of a set of services and facilities for 10, 20, 30, 40 or 50 years to someone else, and that the health service will not have the power to manage it. Some crucial questions in relation to this issue are: how much is dependent on PFI?; how secure is the PFI money?; will it be there?; will it be guaranteed?

One of my concerns—it is shared more widely; in fact, my hon. Friend the Member for Bath (Mr. Foster), the Liberal Democrat spokesman on education and employment matters, has voiced this concern in the past, and may elaborate on it if he catches your eye, Mr. Deputy Speaker—is that there have been many examples in the past where the promise of capital finance has never been delivered. What guarantee is there that the money is secure? What guarantee is there that it will not be cut in the years ahead? I refer to south London and to the Institute of Psychiatry, which is on the Maudsley site on Denmark Hill. It has had to face significant cuts, which has made it extremely difficult for it to carry on its work.

If we are going to have the proposal, does the money come with it? Will the Minister or the sponsor say that it will be guaranteed, and that there will be no going back? In addition, is that logical and consistent with all the development and all the money that is being spent at the St. Thomas's site and at the King's college site? Will that expenditure militate against future expenditure to provide some similar services at Guy's, if that is the implication of the Bill?

I have expressed the concerns of the students and the academics. I now refer to what seems to many local people to be a better solution. We may be rushing to go down a complete merger road when there may be a solution that goes in the same direction but does not have the same disadvantages. Is a gun being placed at the heads of the UMDS and King's college? How much is this an entirely cost-driven question? The Higher Education Funding Council is literally saying—because these are its instructions—"We are going to go for the cheapest option, as opposed to the one that produces the best answer for medical education in London."

Tomlinson said in his report that changes in University Funding Council funding have led to pressures for more efficiency in teaching. These changes have increased the need to rationalise resources and to remove the duplication of posts. I subscribe to that view. However, one increasingly gets the impression that things are being so cost driven in higher education and in the health service that we will do so at the risk of academic excellence or the best arrangement of academic or medical resources.

Would it not be possible to have a federal structure, instead of a merger, for King's college medical and dental school and UMDS? Why could there not be a closer collaboration that allows them to develop how they want to work together rather than have them forced to come together? Why can that not be pursued, particularly if it would be no more expensive than the current proposals—and, indeed, might save some of the costs? Some eminent people concerned with this debate would have no problem with such a structure.

I understand that it is simply the funding authorities that are saying, "Even if it is cheaper or the same cost, we will not pay up unless you go down the road that we insist on." That seems to be going beyond the remit of the funding council. Its job is to provide funds for the best service; it is not its job to take away decisions from autonomous institutions. If they decide that something is better or more efficient, they should be allowed to pursue it.

That has happened over the river. As hon. Members will remember from debates in this place over the past few years, Bart's was forced to merge in two stages—there was a federation of east London colleges in the 1980s, and it has been forced into a merger in the last few years.

That was not a happy experience for everyone—there were certainly some very unhappy academics and students. It was argued that the merger put at risk some

of the things that the individual institutions had developed, such as their academic expertise and their reputation. Those of us south of the river still need to be persuaded. Are we going to have a forced marriage? It has to be done with the voluntary consent of everyone, not because they have a gun to their heads.

Is there a danger under clause 5 that some of the money currently held by the trust funds of the two institutions will be lost to other activities at King's? I do not mean that other areas of King's should not be properly funded, but is there any risk? There must be a factual answer to the question. Can any of the money currently held by the trustees of UMDS or by the trustees of King's college medical and dental school be directed away from medicine and dentistry to elsewhere?

If we are going to go down the merger road, what evidence is there—not from this debate, not from people in the university of London and not from people in the colleges in question, but from friends elsewhere—that a much bigger institution would do any better academically? London university has some continuing small academically excellent institutions. The London school of hygiene and tropical medicine, for example, has managed to retain its academic excellence in spite of its small size. The school of oriental and African studies proves that institutions do not have to be big to be better in academia or to punch their weight in the world's research journals. The more the Internet and university computer networks are used, the less we need to force people to be together on the same site.

In any event, collaboration is only so good, in that many of the links are with the private sector, especially for the health service—for example, with the pharmaceutical companies and international conglomerates. Why cannot they continue to fund the organisations as they do at present?

What about the students? My understanding is that a report in 1990—the second report of the Departments of Health and of Education's steering group on medical and dental education—proposed a set of undergraduate policies and plans for medical and dental students so that development of sites and their studies should always be enhanced by better teaching practice and circumstances. That has not been done, and the formal consultation process with the interested parties has not taken place. Why not? The interested parties should have a say through the procedures that were recommended.

I wish to make a specific point about dentistry, and the dental hospital and dental school that is currently at Guy's. The proposal would mean that there would be about 2,200 biomedical students on the Guy's site. I am worried that, if we have 450 medical and dental students—that could be the maximum—together, the logic of merger will not be carried out. That group will be too big to be taught together, so it will be split up anyway. I understand that the physical geography of the proposed buildings means that the group will divide into two. If that is the case, the solution is not a solution. It would create a big organisation, but the students would have to be divided up after all.

The dental school is the highest rated dental school for academic results in the country. The school, the students and many of the people associated with them have expressed reservations, for the reasons I gave earlier. We have seen the closure of three dental schools in the past 15 years. Given those facts, there is a real risk that, if we consolidated the dental teaching on one site, the institution would paradoxically become much more vulnerable, not much stronger.

There are other dental schools around the country, and people who are cynical and sceptical feel that it would be easy, once the dental school was based at one institution, to say at some stage in the future—if other services were moved away—"There is no medical clinical work on the Guy's site, apart from out-patients, and there is only dental clinical work being conducted on the Guy's site, and it would be sensible to put the clinical work together with academic work, so let's consolidate the dentistry elsewhere. We don't need it here."

Clearly that would be nonsense, and a betrayal of the tradition. I do not suggest that that is in people's minds at the moment, but it is a possible outcome if we consolidate in a way that people are unhappy about and that the students, lecturers and teachers have not been persuaded is the right way.

Where are we? The proposal on the table appears to be led by the Higher Education Funding Council. It appears to be based on the fact that it will be cheaper, yet strong arguments suggest that it will not. It appears to be based on the fact that it is universally agreed, but significant groups of people are unhappy. The proposal appears to be based on the fact that it will consolidate teaching between life sciences and medical and dental science, but some people who have experience of doing that have thought better of it and unstitched such arrangements elsewhere.

The proposal appears to be based on the premise that we need a big institution, but all the best practice elsewhere suggests that such a large number of dental and medical students would be too big and other institutions are smaller. It appears to be based on the premise that we will put everybody together on one site, but, as I have clearly argued, the understanding is that we would not get everybody on the same site; nor would we get medical activity in teaching terms and medical activity in clinical terms on the same site.

There are some serious flaws in the argument. It is not surprising, therefore, that the proposal has taken so long to get so far. It is not surprising that, in recent months, in the words of somebody who spoke to me about it, there has been a lot of shadow boxing, but not everybody has been willing to sign on the bottom line. Yes, the councils have approved the proposal and, yes, eminent voices are in favour, but they are all in favour only on balance, with reservations or with concerns.

Before the House completes its consideration of the Bill, I give notice that, if my questions are not answered—not only for my purposes, but for those who have come to see me about the issue—a whole raft of amendments will be tabled on Report. We probably should not as yet accept the proposals, no matter how tight the time deadline.

I want some assurances. I hope that this debate will have flagged up my questions. I hope that the summer recess will allow us to get those assurances and some satisfactory answers. I hope, above all, that the conjunction of the plans of the Department of Health for health provision on the Guy's hospital site and the plans of King's and UMDS and the Department for Education and Employment for academic provision on the Guy's hospital site will result in a logical conclusion.

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If the institutions are to merge, the site must have beds and in-patients and a secondary and tertiary hospital, and if they are not to merge, the proposal should not go through backed by arguments that are, to say the least, contradicted by some people with an academic interest. I hope that we will get some answers tonight, and all the remaining answers and some policy changes on some of the key issues in the months ahead.

8.17 pm

Sir Roger Sims (Chislehurst): I cannot possibly claim to have the detailed understanding of the implications of the Bill that the hon. Member for Southwark and Bermondsey (Mr. Hughes) has just so effectively demonstrated, but the House will be aware of my especial interest in Guy's hospital. I have worked with the hon. Gentleman for the past two or three years in an endeavour to retain Guy's hospital in its present form and largely on its present site.

My right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke), in explaining the proposals in the Bill, sought to emphasise that the proposals for the combined medical schools are separate from the hospital, which is administered by the local NHS hospital trust. That may be so technically, but I put it to him that they are closely linked in practical terms. The public perception is that hospitals and teaching schools are one and the same.

I believe that the proposals to transfer a substantial number of medical services from the Guy's site to the St. Thomas's site are flawed. I said in a debate that I initiated in the House about 18 months ago that I thought that the Secretary of State's decision was based on inadequate and inaccurate information. No evidence has emerged since then to cause me to change that view. I urge my hon. Friend the Minister for Health to reconcile his opposing positions: on the one hand, he advocates the Bill and all that it implies and, on the other, he is involved in implementing the proposals to merge Guy's and St. Thomas's and to transfer services.

In my brief contribution, I emphasise the points made by the hon. Member for Southwark and Bermondsey. If much of the teaching is to occur on the Guy's site, it is difficult to justify moving so many of the medical facilities and the patients to the St. Thomas's site. That is not logical. If we are to develop a fine medical school on the Guy's site, patients are an essential part of the learning process. It seems extraordinary to try to develop teaching facilities on the Guy's site while transferring medical facilities and the patients to another site.

My hon. Friend the Minister must also justify the cost of the exercise. It seems extraordinary to spend so much money on new buildings for the St. Thomas's site when the present proposals will mean empty accommodation on the Guy's site, both in Philip Harris house and in the tower blocks. I urge my hon. Friend—who wears two hats as Minister responsible for implementing this legislation and also those proposals endorsed by the House regarding Guy's and St. Thomas's—to consider whether he can justify both policies. I have made clear the sorts of changes that I think he should make. As he considers implementing the Bill before us, I hope that he will realise that my case for substantially modifying the plans for Guy's vis-à-vis St. Thomas's is now even stronger.

8.22 pm

Mr. Don Foster (Bath): I come to the debate with a completely open mind on the rights and wrongs of the proposed move. Having listened to the contributions by the right hon. Member for City of London and Westminster, South (Mr. Brooke) and my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes) and the brief but plangent contribution by the hon. Member for Chislehurst (Sir R. Sims), I remain fairly open-minded about our approach to the issue.

My hon. Friend and the hon. Member for Chislehurst asked important questions which must be answered before a final decision is taken. For example, my hon. Friend referred in passing to the important issue of the private finance initiative and the role that it must play in funding some of the proposed work if the merger goes ahead. I do not know whether my hon. Friend is aware that there is considerable confusion about the role of the PFI in the education sector.

There has been interesting correspondence between the Department for Education and Employment and the Treasury on that matter. The Department believes that the PFI should be in addition to the normal capital allocation procedures, whereas the Treasury views it as a substitute for those procedures. There is clearly a difference of opinion that will have implications for whether funds will be available to ensure that the required capital work takes place.

I was interested in the remarks of the right hon. Member for City of London and Westminster, South, who referred to the longevity of his constituency and to some of his predecessors. He is in the Chamber and may be interested to learn that my constituency dates back at least as long as his. I also have some interesting forebears. In the 1800s, the local Member of Parliament, Mr. A. J. Roebuck, was the first hon. Member to propose the state funding of education in this country.

If Mr. Roebuck were here today, he would be interested to listen to our debate on the funding of medical and dental education. He would have noticed the interesting timing of today's debate. Many people who are concerned about higher education in general, and about dental and medical education in particular, will arrive at the Palace of Westminster tomorrow to express their real concerns about existing funding difficulties in those areas. We are discussing the merger of two institutions that may require additional funding of £140 million or possibly more in the context of significant cuts in higher education funding. Therefore, we must ask: will that money be available?

This debate takes place within the context of real concern about the present funding of clinical and academic education. Mr. Deputy Speaker, I am sure that you are aware that universities' capital incomes were slashed by about 31 per cent. in last November's Budget. There was an overall funding cut of 5 per cent. and at least a suggestion that further cuts would follow. Those capital cuts came on top of a 28 per cent. real terms reduction in funding per student in the past six years.

Those figures are clearly important to the debate, as we are told that the proposals will save money. We are told that they are driven largely by the savings that may accrue from economies of scale. However, we know that the proposals will cost a great deal of money initially and no evidence has yet been produced of any savings in the long term. Before the House passes the Bill, hon. Members

must receive a clear answer on whether money will be made available to fund the up-front costs of the merger. Clear evidence must be produced that economies of scale will produce savings that will not prove detrimental to the quality of future medical and dental education.

People with those concerns may well look back to other mergers that have taken place, for example in the 1970s, when Bart's was told to merge with Queen Mary's. It was told that funds would be withheld from it if the merger did not go ahead. It went ahead, but none of the money that was promised to fund the merger was made available until about 12 or 13 years later, in 1985. We must be absolutely sure that the funding will be made available in this case. I hope that the right hon. Member for City of London and Westminster, South will say what assurances the Government have given him that funds will be made available.

I have also said that it is important that we are given a clear sign that there will be economies of scale to save money, but in a way that will not be harmful to dental and medical education in this country. One concern which has not so far been expressed is with the way in which cuts may be made that will have a direct effect not only on medical and dental education but on the medical and dental care of people in London.

There was some interesting correspondence recently between the Minister of State, Department for Education and Employment—the hon. Member for Mid-Worcestershire (Mr. Forth)—senior people within the Committee of Vice-Chancellors and Principals and medical schools around the country. For example, in the middle of May this year, the chairman of the CVCP's medical committee wrote to the Minister expressing considerable concern that the Department for Education and Employment had been quoted as saying that there was

"no direct link between the level of university grants and the delivery of NHS patient services".

The chairman went on to describe what he saw as an "inextricable triad" of teaching, research and patient care. Yet, in subsequent correspondence, the Minister seemed not to accept the intricate link between the two.

That is why it was so pleasing that the Minister for Health talked about his acknowledgment of the links between teaching, research and patient care. If the merger is to go ahead, we need an assurance that it not only will bring about improvements in the teaching and medical side of dentistry but will not in any way harm patient care for people in the capital.

Mr. Simon Hughes: My hon. Friend will be aware, as I am, that one of the great concerns outside is that there will not be sufficient medical or dental students, as in many other professions. One important factor in establishing confidence is that students should have confidence in their choice of institution, feel keen to go there and believe that it is a place where they want to study, and that they do not go off and do something else.

Does my hon. Friend agree—

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman is making a very long intervention.

Mr. Hughes: I shall shorten the last sentence, Madam Deputy Speaker.

Does my hon. Friend agree that the views of students, those who represent them, as well as the views of patients, are vital when we consider specific proposals, as well as general policy on health and education?

Mr. Foster: My hon. Friend makes an important point. There appears to be a fair body of evidence that suggests that there is much support for the proposal of the right hon. Member for City of London and Westminster, South. It is nevertheless important for, and incumbent on, all hon. Members to take careful account of those who are critical of these proposals and to ensure that, before the final version of the Bill is passed by the House—if that is to be so—we answer their questions clearly.

My hon. Friend made another important and relevant point: whether the Government will make sufficient funds available to ensure that we meet the targets for dental and medical training that they established. I do not know whether he is aware of this, but there was an interesting exchange recently in another place, when Baroness Fisher asked Her Majesty's Government:

"How they intend to guarantee the necessary finance to train an additional 500 doctors by the year 2000 in view of the impact upon university medical schools brought about by the 28 per cent. cut in their funding over the past six years and the further 5 per cent. cut for teacher training imposed in the last budget."

In response, Lord Henley drew attention to the fact that the Government would take into account concerns about funding for medical and dental education. He said:

"However, the Government have to take into account the wider considerations, such as the burden on the taxpayer and the need to control public expenditure."

He went on to make a similar point, saying that very difficult decisions have to be made about how they allocate the sums of money that are available for higher education. He said:

"We believe that the medical side of higher education receives its fair share."—[*Official Report, House of Lords*, 19 June 1996; Vol. 573, c. 316-18.]

"Fair share" in that context has led to significant cuts. That is why we need clear assurances that additional money will be made available in the short term to fund the merger.

We are asked to accept that the merger will lead to economies of scale. My hon. Friend has already expressed the views of a number of people who believe that there is no clear evidence that that will be the case. The medical and dentistry secretary at Queen Mary and Westfield, for example, recently said that, from its recent experience of merger, there have been no short-term advantages, but acknowledged that there might be some long-term advantages. There is little evidence to show that any economies of scale will accrue from this merger, certainly not the evidence expressed in the debate. I hope that some evidence will be provided before the end of the debate.

As my hon. Friend the Member for Southwark and Bermondsey said, it is worth taking it into account that economies of scale are usually assumed to come from an expansion of an institution; yet, as we heard earlier, because teaching may take place on a number of different sites, there may not be evidence of the economies of scale in this case.

There is also the point expressed in paragraph 195 of the Tomlinson report, which suggests that an intake into a medical school of more than 200 or 250 would not

[Mr. Foster]

necessarily be a very efficient way of doing things in managerial or organisational terms. It is interesting to note that the merged college will have an intake of about 300. Even within the Tomlinson report, which advocated such a merger, there is evidence to suggest that in this case it may not have managerial or organisational advantages.

I repeat that I have an open mind on this issue, but I hope that, before the end of the debate, we will be given clear answers to the questions that other hon. Members and I have raised. I am sure that we all look forward to the winding-up speech of the right hon. Member for City of London and Westminster, South.

8.39 pm

Mr. Henry McLeish (Fife, Central): I shall try to be brief, and confine my remarks to what the Minister said earlier.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) made a number of detailed points, and the right hon. Member for City of London and Westminster, South (Mr. Brooke) will doubtless wish to deal with some of the issues that he raised with the benefit of local knowledge and an interest in the subject.

I welcome the Bill, which, I hope, will enable the aspirations of the promoters to be realised. There is no doubt that medical education and research in London is important not only to the capital but to the nation and, indeed, the world. The House would, I think, expect any Bill such as this to enhance rather than detract from what is already happening.

The hon. Member for Southwark and Bermondsey raised the question of property, which is linked to the issue of the private finance initiative. In its response to the Tomlinson report, the British Medical Association mentioned concerns about the merger—concerns, rather than objections to what was being discussed. In paragraphs 13.4 and 13.5 of that response, entitled "London's health services education and research: response to the Tomlinson report", the BMA states:

"There is concern, however, that the use of split sites for amalgamated schools will lead to a lack of space and facilities which will make it difficult to deliver the curriculum being proposed by the GMC . . . It is a matter of some concern that the Report considers that the costs of rationalisation can be self-financing through the sale of medical school assets."

At that point, post-Tomlinson, it was feared that the merger might have an impact on not only the use of sites but the quality of education.

An article featured in *The Times Higher Education Supplement* on 26 January this year raised the whole question of the private finance initiative. I do not want to inject too harsh a political note into the debate, but it is clear that the PFI has not been the remarkable success for which the Government hoped. The article suggested that

"King's College London and the United Medical and Dental Schools"—

which are being merged—

"are looking to clinch the biggest deal so far"

under an initiative worth £125 million. No one would deny that such an initiative requires investment, but it is important to set that against the performance of the Government's other PFI projects. The point is worthy of concern, and I hope that the right hon. Member for City of London and Westminster, South will address himself to it. If a significant investment is required, can we be guaranteed that it will be delivered through the PFI? It has not been delivered to provide hospital improvements, refurbishments and new building, and there have been major problems in other regards. There have been delays, and many people find the PFI a cumbersome way in which to attract capital. When a consortium is involved, it may be interested in more than just the bricks and mortar that the merger would no doubt require.

The article in *The Times Higher Education Supplement* points out that a final decision would have to be made by July this year. As he is not here, the Minister cannot respond, but I hope that the right hon. Member for City of London and Westminster, South will tell us whether the PFI is on track, and also whether a decision must indeed be made by July. I suppose that the obvious further question is, "If not, why not?" The project will clearly require investment; the Government have gone down the PFI road, and it is clearly in the promoters' interests to know the current implications.

Mr. Simon Hughes: There is another question which neither the hon. Gentleman nor I asked, but which people outside may ask. Who are the prospective partners? When funds are required for a project involving health education and medical research, some people might not be regarded as necessarily very desirable partners in a consortium because of vested interests in the pharmaceutical industry or other industries. That is another question to which the right hon. Gentleman might usefully give us an answer.

Mr. McLeish: I was going to touch on that. The illuminating article in *The Times Higher Education Supplement* tells us that

"Six consortia have been invited to make detailed bids, out of the 30 that made initial inquiries."

Linked to that statement, and perhaps extending the concerns expressed by hon. Members, is the statement that

"The successful private finance consortium will have to provide additional services over and above the basic construction and financing of the new building. Lynn Carlisle, co-ordinator of the PFI project, said the colleges would be looking for proposals for campus management."

That raises some of the issues that have surrounded other PFI projects. Is it a question of buildings? Is it a question of refurbishment? Is it a question of site acquisition and development? Or does the issue indeed extend to the provision of services? That has a material bearing on the merger, and, unfortunately, on whether the consortia can secure the adequate return that they seek.

The article poses another question by suggesting that

"the project was proving popular with developers partly because some valuable West London buildings belonging to King's College will be refurbished for non-educational uses."

That is in the context of a very significant merger involving many changes in land use and building construction. Perhaps it should happen, in terms of the viability of the project, but surely these issues will interest the community in London. They are certainly important in regard to the medical and educational aspects. Given all the problems surrounding the PFI, we must be given some indication this evening that the project is

proceeding, that there is interest and that the nature of the deal that is ultimately struck will favour the college and schools that are being merged and not—as PFI projects suggest—the developers.

We support the initiative, but some solid points have been made which require a response. I hope that the right hon. Member for City of London and Westminster, South will deal with funding and, in particular, the PFI.

8.46 pm

Mr. Brooke: With the leave of the House, I shall reply to both the debate and the questions that have been asked. All who had the pleasure of listening to the hon. Member for Southwark and Bermondsey (Mr. Hughes) will probably agree that the debate has consisted of variations on a theme, and that the hon. Gentleman provided the theme while other hon. Members provided the variations. The hon. Gentleman's speech, which lasted just under an hour, was interesting throughout, and I personally enjoyed it.

At the beginning of his speech, the hon. Gentleman referred to the name. As I know from experience elsewhere, the name is a matter of potential difficulty. I continue to derive pleasure from the existence of a finger post in Lincolnshire that directs people to the villages of Mavis Enderby and Old Bolingbroke: under those names has been added the graffito "the gift of a son".

The hon. Gentleman mentioned trust funds. I can assure him that there is no risk of any trust funds being inappropriately diverted. If the money cannot be spent on the purposes for which it is intended, it cannot be spent, and remains in the trust fund. The hon. Gentleman also spoke at length about critical mass. The issue here is not the critical mass for good and strong groups; it is research. Such a critical mass is necessary for research, enabling a full range of specialities alongside each other to allow synergy and cross-fertilisation. Perhaps I was at fault in not using the phrase "critical mass" in my introductory speech.

The numbers to be taught—

Mr. Simon Hughes: I do not wish to pre-empt the right hon. Gentleman, but—if he is not already planning to address it—can he address the point about the size of entry cohorts, which was one of the critical mass sub-definitions that I was very keen to explore?

Mr. Brooke: That was the very next point that I was going to address. If we examine *Hansard* in retrospect, we will find that I had just embarked on that point.

The numbers to be taught are of the order of 300 to 330 medical students per year, as the hon. Member for Bath (Mr. Foster) quoted. That allows the development of effective cohorts of students with different backgrounds and for the possibility of having a mature graduate entry cohort who would be capable of staying together as a cohort and of being taught as a single body.

There are three teaching hospitals involved, so that it is possible in planning terms to assign particular teaching hospitals to particular cohorts. But that is still a matter for the future, and it is a matter on which the hon. Member for Southwark and Bermondsey may wish to remain in correspondence with interested parties.

Mr. Hughes: Will the right hon. Gentleman give way?

Mr. Brooke: I will give way, but the hon. Gentleman must not assume that I have inexhaustible knowledge.

Mr. Hughes: I am grateful, and I shall not intervene too often. The right hon. Gentleman's answer troubles me because he suggested as a reason why 300 or more students would not be too many the fact that they may be spread among the three hospitals. The logic of the proposal is that they will all come on to one site to work on one hospital. I therefore wonder whether he has a briefing or the knowledge to be able to explain what appears to be a discrepancy between the two arguments.

Mr. Brooke: I cannot do that. The hon. Gentleman's preoccupation was that the numbers would be overwhelming. I am saying that, because we have the potential of teaching in different cohorts, we can make use in some respects of the multi-site background.

As for the dental schools, there are mechanisms in hand for the clinical experience element to be taken in two large successful dental hospitals, which is perhaps an example of the point that I made a moment ago. It has not yet been decided how that should be done. The hon. Member for Southwark and Bermondsey was of course right about the numbers that he quoted. It may be that there will be two separate cohorts, which in that respect will be divided between the two dental hospitals. It is also possible—although this is still at the unresolved and planning stage—that that may be done on a year-by-year basis, so that one year a student will be in one hospital and in the next year in the other hospital.

There is a potential for having separate specialisations in the two hospitals so that one hospital will concentrate on some specialisations and the other hospital on other specialisations. There is currently some degree of complementarity and overlap. One can therefore see why the matter is still in the planning stage and not yet resolved. The fact that we have that combined strength in the two hospitals provides potential protection for the future on the issue raised by the hon. Member for Southwark and Bermondsey at the end of his speech.

The argument for co-ordinated teaching is not about joint biomedical teaching, but to ensure that the clinical professions are able to undertake appropriate clinical classes together. I doubt that there will be integrated science teaching. That is probably a false assumption. Some joint classes may be given, but the buildings are not being designed on a scale to take life science and medics together. The planning of the new building on the Guy's site is not envisaged so that both could be done in one place.

The matter of costs was raised by the hon. Member for Bath and by the hon. Member for Fife, Central (Mr. McLeish). The private finance initiative process means that currently the actual costs are necessarily unknown in detail. In response to the question from the hon. Member for Fife, Central, however, I can say that the PFI process is currently on track. That is not to say that it will continue to be on track, but it is currently on track.

[Mr. Brooke]

I can confirm the figure of £140 million, which the hon. Member for Southwark and Bermondsey asked me about, of which £70 million—or approximately half—will go into the biomedical building on the Guy's site. A figure of between £40 million and £50 million will go into the refurbishment of the Cornwall house site.

The hon. Member for Southwark and Bermondsey referred in his speech to this being all taxpayers' money. It is taxpayers' money if one regards the sites that King's will be selling in west London as taxpayers' money, but those sites already exist. The hon. Member for Fife, Central also referred to an article in one of the educational papers, and the potential for developing sites in those areas. Part of the equation is the money that will be realised from those sites. Moreover, the biomedical activity will be brought from six different sites, including those in west London, on to a single site.

Mr. Simon Hughes *rose—*

Mr. Brooke: The hon. Gentleman cannot restrain himself further.

Mr. Hughes: I stand corrected on the matter of where the money will come from, and I understand the point made by the right hon. Gentleman. Can he help us with the tally at the end of that set of sums? I am grateful for confirmation of sum of £140 million in total. Does he have—if not, I shall be happy to receive it from him later—the breakdown as to how much will be PFI money from the private sector, how much will be money from the sale of current assets and how much will be properly defined taxpayers' money from the Higher Education Funding Council?

Mr. Brooke: I cannot answer that question. I have been given a breakdown which shows that £54 million will come from the health service, £20 million from the Higher Education Funding Council, £7 million from the united medical and dental schools—of which £2 million will be from the special trustees and £5 million from UMDS itself—and then the money from property sales at King's. It is too early to give the hon. Member for Southwark and Bermondsey the detailed answers that he sought on the PFI process earlier.

I realise that the tower at Guy's affords an opportunity. It gives the hospital an opportunity for additional health uses—within the health service, about which the hon. Member for Southwark and Bermondsey expressed some scepticism—as well as what I would describe as trust-focused academic-clinical research. In other words, employees of the trust as against employees of the medical school will be engaged in the research, which is of course one of the bonuses and the glories of the two systems being side by side.

The hon. Member for Southwark and Bermondsey wanted an assurance on the consolidation of the biomedical activity. All candidates and all students will have a base there. If there is any academically desirable science teaching that needs to be done at a clinical site, that can and will be done. There is a degree of flexibility in the planning, but I do not think that we are yet at the point of absolute definition—perhaps understandably, because until the Bill is passed we do not know that we have the commitment to progress.

I know that the hon. Member for Southwark and Bermondsey did not mean to be disparaging in any way when he referred to talking to out-patients, but that is one of the major advantages of the strong Guy's site, which will enable a student to follow a case. The student may now see individuals in out-patient's, but he will be able to follow the case on a local basis thereafter. That is particularly so because given more rapid discharge from a bed, the less easy vertical integration will become. That is critically true in the early years of the curriculum. If the health service decides to put the clinical service on to Guy's and St. Thomas's, there is no potential planning problem.

I have responded to the question whether students will be bussed. The answer is not for the first years, but some science-related clinical services will be taught while students are on their clinical placements. I said that we are in the process of testing the PFI, so I could not give a more definitive answer. In reply to the hon. Member for Fife, Central, I can say that not only is that testing currently on track, but, overall, the Hunt's house site was due to be handed over to the combined medical schools, in planning terms, in December 1996. The site is now due to be available in July 1997. That is not certain, but a reasonable assumption.

Mr. Don Foster: We understand the right hon. Gentleman's difficulty in giving categorical PFI assurances, and we accept those that he has given. However, what assurances are the Government giving as to the £54 million expected from the health service and the £20 million from the HEFC?

Mr. Brooke: They are part of the existing plan. I cannot be more definitive. If the hon. Gentleman wants to enter into correspondence with the Bill's promoters, he is free to do so. I have sought, from somewhat sparse knowledge, to reply as fully as I can to the debate. The HEFC for England has approved the business case, subject to the testing of the PFI process—so we cannot answer the question, "Will it be PFI?"

The hon. Member for Southwark and Bermondsey asked whether the enterprise is cost driven. Both UMDS and KCL started their dialogue by academic argument—they wanted merged departments. They needed to persuade the funding council that that was the way forward, rather than the council putting a gun to their head. The proposed physical location is the best option to achieve that end. The HEFC is not dictating the solution, but it requires proper academic and financial valuations before it gives its seal of approval.

Mr. Simon Hughes: Although it is clearly good for students learning medicine and dentistry to see out-patients, it is as important for them to see in-patients. What is the logic of having academic teaching and students on the Guy's site and most of the in-patients on an entirely different site?

Mr. Brooke: One disadvantage for my hon. Friend the Member for Chislehurst (Sir R. Sims) and myself is that my hon. Friend the Minister spoke early in the debate, so

there was not the opportunity to intervene with certain questions. The questions of my hon. Friend and of the hon. Members for Southwark and Bermondsey and for Bath are more for my hon. Friend the Minister than myself.

The Bill's purpose is to secure a merger that would not be achieved by a federation, as was half hinted. If one expects an organisation such as King's to commit £70 million raised through the sale of its property to a new location on the Guy's site, that must be done with proper control and capacity for planning. I again commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed.

Defamation Bill *[Lords]*

As amended (in the Standing Committee), again considered.

New clause 11

LIMITATION OF ACTIONS: SCOTLAND

'(1) The Prescription and Limitation (Scotland) Act 1973 is amended as follows.

(2) In section 18A (limitation of defamation and other actions), for subsection (1) substitute—

"(1) Subject to subsections (2) and (3) below and section 19A of this Act, no action for defamation shall be brought unless it is commenced within a period of one year after the date when the right of action accrued."

(3) In section 19A (power of court to override time-limits, etc).

(a) for subsection (1) substitute—

"(1) Where a person would be entitled, but for any of the provisions of section 17 or section 18 and 18A of this Act, to bring an action, the court may, if it seems equitable to do so, allow him to bring the action (or to bring any specified cause of action to which the action relates) notwithstanding that provision."

(b) after subsection (1) insert—

"(1A) In acting under this section in respect of causes of action falling within section 18A of this Act, the court shall have regard to all the circumstances of the case and in particular to—

(a) the degree to which the operation of section 18A of this Act prejudices the pursuer or any person whom he represents;

(b) the degree to which any decision of the court under this section would prejudice the defender or any person whom he represents;

(c) the length of, and the reasons for the delay on the part of the pursuer;

(d) where the reason or one of the reasons for the delay was that all or any of the facts relevant to the cause of action did not become known to the pursuer until after the end of the period mentioned in section 18A—

(i) the date on which any such facts did become known to him; and

(ii) the extent to which he acted promptly and reasonably once he knew whether or not the facts in question might be capable of giving rise to an action; and

(e) the extent to which, having regard to the delay, relevant evidence is likely—

(i) to be unavailable, or

(ii) to be less cogent than if the action had been brought within the period mentioned in section 18A.

(1B) In the case of an action for malicious falsehood brought by a personal representative, the references in subsection (1A) above to the pursuer shall be construed as including the deceased person to whom the cause of action accrued and any previous personal representative of that person."

(4) The amendments made by this section apply only to rights of action arising after the section comes into force.'.—*[Mr. Brooke.]*

Question again proposed, That the clause be read a Second time.

Madam Speaker: I remind the House that with this we are considering amendment Nos. 41 and 42.

9.5 pm

Mr. Brooke: I shall resume where I was interrupted by a most worthwhile Bill, which I am happy to say has now been carried.

At the moment of interruption, I was saying that I am conjoined in the new clause and the consequential amendments with my hon. Friend the Member for Eltham (Mr. Bottomley). He raised the same matters in Committee, where he was unable to move what is now new clause 11 but stated his intention to pursue the matter further on Report.

My hon. Friend warned me that the intercalated nature of the debate could prevent his being present in the Chamber, but he is with me in spirit. As the heart of the new clause lies in harmonising the law in Scotland with that provided for elsewhere in the Bill—notably in reducing the three years in Scotland to the single year provided in the Bill—I should make it clear that I do not have a single drop of Scottish blood and that, if I trample in any way on Scottish sensibilities, I hope that it will be attributed to the insensitivities of a Sassenach, albeit laced with Welsh and Ulster blood.

I tabled the new clause because media constituents asked me to do so at the last possible moment in the passage of the Bill. I acted immediately, without undertaking any research, to enable a debate to take place. As the matter was debated in Committee, I do not propose to rehearse all the arguments deployed there, but I want to give the Minister—who is a graduate of King's college and was most welcome in the previous debate—the chance to expand his arguments against the propositions of my hon. Friend the Member for Eltham, which were deployed in a necessarily helter-skelter manner in Committee.

On 6 June, my hon. Friend the Member for Eltham asked whether the Scottish Law Commission, which my hon. Friend the Minister prayed in aid in his remarks, could show why six years was needed in Scotland. My hon. Friend the Minister said that the Scottish Law Commission did not see the merit of reducing the period to one year, but he did not explain why. As the debate was to be revisited in a week's time, my hon. Friend the Member for Eltham asked the Minister to invite the Scottish Law Commission to send him the justification for leaving the period as it was. The Minister did not make such a commitment; instead he explained the problem of changing the law applying to Scotland without a Scottish Minister present in Committee and promised to consult Scottish Ministers the following week before the Committee returned to the subject, which satisfied my hon. Friend.

The following week, the Minister stated that the new clause would change Scottish law on the discretionary power of the courts to override the time limit. He said that the Government saw no reason to change that provision. He said that he had consulted Scottish Ministers, as he had promised, and had been assured that it had been fully considered and added that, in the light of comments received during consultation on the Bill in Scotland, there was no evidence that change was required in Scotland. He alluded to the Scottish Law Commission as part of the consultative process, but yet again he did not rehearse its views, as my hon. Friend had requested a week earlier.

My hon. Friend the Member for Eltham concluded the debate by reminding the Committee that it had not heard why three years were better for Scotland and it is my purpose—as it was my hon. Friend's intent—to return to the issue in order to get a clear answer from the Government. As I implied at the beginning of my speech, the issue has exercised a number of media organisations in my constituency.

Mr. Boateng: The right hon. Member for City of London and Westminster, South (Mr. Brooke) does the House a service by enabling us to return to this topic. Circumstances required us not to spend as much time on it as perhaps some of our number would have liked in Committee.

There are no doubt good reasons why many people in Scotland are more than content that there should be a distinction between the law in Scotland and that in England and Wales on the limitation period, not least because many in England and Wales—we shall no doubt hear them when we debate another amendment—are concerned about the reduction of the limitation period from three years to one, do not believe that the case has been made out and see no reason why Scotland should be obliged to share in England and Wales's new misfortune. On Second Reading and in the other place, scant attention was paid to the distinction between Scotland and England and to the lack of any apparent justification for it.

Since the right hon. Member for City of London and Westminster, South has introduced the issue of blood lines into the debate, I should say that I have some Scottish blood. I have a grandfather who delighted in the name of Robert Wallace Burns McCombie. Anyone who has a grandfather with that name is entitled to lay some claim to Scottish blood, and I do so with pride. I have no particular interest to declare concerning the media north of the border, but I am aware of a conflicting picture emerging there on the issue.

Mr. Bill Walker (North Tayside): As one whose blood is all Scottish, may I ask whether the hon. Gentleman recognises the convention on handling Scottish business in the House? The matter is very sensitive. Scottish law is different and we do not as a matter of practice change the laws affecting Scotland without Scottish Members—either in the Scottish Grand Committee or in Committee—having the opportunity to debate and discuss the merits of doing so.

Mr. Boateng: Quite so. The absence of Scottish Members was a very good reason why members of the Committee did not dwell too long on the subject. We are blessed tonight with the presence of a number of Scottish Members and are therefore able to range more widely over Scottish matters than we otherwise would.

We are also fortunate to have received representations from a number of Scottish organisations that have asked specifically for the matter to be raised. I know, for instance, that the Scottish Media Lawyers Society has contacted my hon. Friend the Member for Cunninghame, North (Mr. Wilson), who was present earlier. He has asked me to raise that contact on his behalf and to express his view that the case does not seem to be made out for a distinction between England and Wales and Scotland on the limitation period. I am bound to say that the Scottish media lawyers share the view expressed in "Bringing Harmony into the Law of Defamation", an article by Alistair Bonnington, who may be known to a number of hon. Members. The society took the view—a view with

which I disagree—that it should be one year, and it was anxious to harmonise the position in Scotland with that in England and Wales.

Another, perhaps more authoritative, body—in the sense that it has a wider overview and a specific general interest in the matter—is the Law Society of Scotland. It was very much of the view that it would be quite wrong to change the Scottish position and to bring it into line with English law, as the Bill proposes. The society took the view—which accords with my own as regards the law in England and Wales—that three years is the right time, not least because of the problems outlined by Mr. Clancy of the society. He said that

"legal aid is not available for defamation actions and it would unduly favour potential defenders (who may be substantial organisations) if the potential pursuer's rights are limited to their exercise within one year of the delict (or civil wrong) having been committed."

There is a great deal of sense in that.

9.15 pm

It seems clear that the notion that there should be a change from three years to one year—or from six years to one year—has not found favour with the Scottish Law Commission. But has the commission been consulted? It certainly should have been. If so, what is its view? Is it—as one suspects—that there are no valid arguments that would justify reducing the period in Scotland during which an action for defamation can be brought to 12 months? We want to be sure that the commission has been consulted and we would like to know its view.

What about the Scottish Courts Administration? Is it correct that it too opposes a reduction? We would like the Minister to answer those questions within the general context of hon. Members' concerns, not least about the series of amendments that we discussed earlier to clause 13. Have those promulgating the Bill adequately considered the position in Scotland? I have heard nothing during the debates on Second Reading or in the other place about the impact of clause 13 on the Claim of Right Act 1689 as opposed to the Bill of Rights 1688.

Mr. Dalyell: If, as I suspect, the answer is no and those bodies have not been consulted, is there not a case for a statement to be made by the Lord Advocate at the Scottish Grand Committee during its peripatetic round? Scottish Ministers should be questioned on this complex but important subject.

Mr. Boateng: Ministers may feel that the matter should be brought to the attention of Scottish Law Officers. It is not for me to trespass on this matter now, but those interested in Scottish constitutional matters sometimes believe that these matters are not always treated with the seriousness that they deserve. I hope that the Minister will take time to consider the matters that I have raised in this short speech and satisfy the House that my concerns have indeed been met.

Mr. Menzies Campbell: I hope that it will not be seen as a reflection on the right hon. Member for City of London and Westminster, South (Mr. Brooke), who introduced the new clause, if I say that, in this matter, I thought that his competence exceeded his enthusiasm for the measure by some considerable distance.

The House would do well to reject the amendment. Not only was no Scottish Minister on the Standing Committee, but there was no Scottish Member either and, this evening, we do not have a Scottish Minister with us. If the House passed such a measure without proper consideration of the sensitivities, and perhaps the realities, of Scottish law, it might act as an effective recruiting sergeant for those of us who believe that domestic Scottish law should be dealt with in a domestic Scottish Parliament, based in Edinburgh. Perhaps to that extent I should encourage the right hon. Member for City of London and Westminster, South, but for the purpose of this evening it is right to oppose the new clause that he moved.

The hon. Member for North Tayside (Mr. Walker) said in an intervention that it was a convention in such circumstances that the law of Scotland was not changed. Would that he was always correct about that. I can think of a number of recent criminal justice measures that, towards the end of their passage, dealt with Scotland, but never had a proper airing in Committee or on the Floor of the House from a Scottish point of view.

The position is this: in Scotland, the law of prescription and limitation, which is essentially what the new clause is about, is one corpus of law. It is to be found in the Prescription and Limitation (Scotland) Act 1973. It is wholly inappropriate to change that corpus of law on a case-by-case basis in a series of statutes.

One of the advantages of having the provisions in a single Act of Parliament is that it makes for ease of reference for practitioners and public alike and that any proposed change to the principal Act can be assessed against the effectiveness of other statutory provisions relating to prescription and limitation. It is wholly inappropriate to change the law in that regard in a piecemeal fashion.

I 'too' had the brief from the Scottish media lawyers. I have spoken to Mr. Bonnington and explained that I do not share his point of view on the matter. I understand the arguments that lie behind his views, but it would be inappropriate to interfere—I appreciate that that is a pejorative word, but I use it advisedly—in that way with the law of prescription and limitation in Scotland.

The Law Society of Scotland has evidenced its opposition. I should be interested to know what Scottish Ministers have to say, particularly the Lord Advocate. As I am engaged in an exercise that is as much one of education as of advocacy, I can tell the hon. Member for Brent, South (Mr. Boateng), who spoke for the Labour party, that the Scottish Courts Administration concerns itself with the numbers of courts, sheriffs, witness rooms and things of that kind. Policy has not yet fallen within its responsibility.

Policy is a matter for Government, and policy in these matters is the responsibility of Scottish Law Officers and Scottish Ministers. Policy is a matter on which those who practise the law in Scotland are entitled to have their voice heard. The clear view of the Law Society of Scotland and of the Law Commission, I understand, is that no change should be made. On that basis, I suggest that the amendment should not detain the House too long. I hope that the new clause is not pushed to a vote. If it is, I certainly urge anyone who has an interest in the integrity of Scottish law to vote against it.

Mr. Bill Walker: I am worried about the precedent that would be created if new clause 11 were accepted.

[Mr. Bill Walker]

Despite what the hon. and learned Member for Fife, North-East (Mr. Campbell) said about possible changes, those of us who care deeply—and I know that he includes himself in that—about the integrity of Scottish law and the legal system try always to ensure adequate debate on Scottish matters. We monitor the situation carefully. I came to the Chamber because I noticed that the new clause had been tabled by two English Members. In the circumstances, I would find it difficult to argue, as I always do, that our unitary Parliament looks after Scottish matters extremely well.

I am delighted that this is not a Government proposal. The Government would not allow such a proposal without Scottish Ministers being present or without the Scots being given the opportunity fully and adequately to debate the matter. Whatever its merits, in the interests of maintaining the integrity of our unitary Parliament and that of the Union, we should have no truck with new clause 11, as proposed by two English Members.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): I am grateful to the hon. Member for Braveheart, South for sharing his Celtic antecedents with the House and to my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) for tabling the new clause, which allows us to have this important debate. It would mean that the limitation period of one year that we propose for defamation proceedings in England and Wales would also be introduced for Scotland. I hope that in a brief but forceful argument I shall persuade him that it is misguided.

My right hon. Friend knows that the Neill committee did not consider the law in Scotland. Scottish Ministers consulted last year on whether the limitation period in Scots law should be reduced to one year, in line with that proposed for the rest of the United Kingdom. Ministers attached particular weight—and this answers one of questions of the hon. Member for Brent, South (Mr. Boateng)—to the views of the Scottish Law Commission, which strongly opposed any change, as did the Law Society of Scotland. Accordingly, it is not the Government's intention to make that reduction at this time.

I can reassure the hon. and learned Member for Fife, North-East (Mr. Campbell), who spoke so eloquently, that my speech has been approved personally by my right hon. Friend the Secretary of State for Scotland. The jokes are mine, but he has approved the speech. I am glad of the support of my hon. Friend the Member for North Tayside (Mr. Walker), who made a valuable and important point.

It is worth briefly setting out the background. There are several important respects in which Scots law is very different from English law. My right hon. Friend the Member for City of London and Westminster, South knows that Scots law is based on Roman law, whereas the law in England and Wales has a common law base, with each tradition having evolved separately over many centuries. The two legal systems have many striking differences. A prime example is that, under the law of England and Wales, consideration is required to establish a contract, whereas, bizarrely, in Scotland a unilateral promise with no consideration moving to the promisor—I speak as a law student of many years ago—can constitute an enforceable obligation.

The law on the purchase and sale of land is different, as is the system of land tenure generally. There are significant differences in family law and in the law of succession. Even in the law and procedure for plaintiffs and defendants in defamation proceedings, there are several differences apart from the limitation period. For example, the assessment of damages is different in Scotland and is more likely to influence the potential plaintiff's choice of forum than is the limitation period. Punitive and exemplary damages are permitted in England but not in Scotland. Newspapers, broadcasters and their advisers already have to deal with those differences and do so with little difficulty.

Section 19(a) of the Prescription and Limitation (Scotland) Act 1973 already gives a Scottish court an unfettered discretion to override time limits where it considers it equitable to do so. That power of discretion applies to all time limits in personal injury actions and wrongful death actions as well as to defamation actions. It is not considered necessary or desirable to restrict the wide discretionary powers that Scottish courts already have to override time limits.

If it is therefore my right hon. Friend's intention to harmonise the law between Scotland and England—a brave thing for any Englishman to undertake—a far more extensive review of the differences between English and Scots law, even in relation to defamation proceedings, would be necessary rather than the simple introduction of an identical limitation period.

In Committee, we heard the concerns of my hon. Friend the Member for Eltham (Mr. Bottomley) about forum shopping. As I have explained, there are reasons other than the limitation period itself why people might seek to sue in England rather than Scotland, or vice versa.

9.30 pm

Mr. Menzies Campbell: In the seminar that the Minister had with the Secretary of State for Scotland, was his attention drawn to the fact that in a defamation action in Scotland the assessment of damages is almost invariably carried out by a judge, not a jury? That inevitably means that the awards in Scotland are substantially lower than those in the Strand. That, in itself, could easily be a disincentive to anyone who felt that he should go north of the Tweed to try to effect a remedy.

Mr. Streeter: The hon. and learned Gentleman, who speaks with authority on the matter, makes a valuable point about the Government's position on the new clause.

I have explained that the operation of rules of private international law should also prevent differences from being unfairly exploited. The plea of forum non-conveniens, with which we are all familiar, is available to ensure that cases that should be more suitably heard in England and Wales are not heard in Scotland.

Even if a pursuer—the Scottish term for plaintiff—could establish jurisdiction in Scotland over a defamation that occurred in England and Wales, the Scottish court would still have to consider whether that defamation was actionable under the law of the place where it had occurred, and the English laws of limitation would be a relevant consideration. Section 23(a) of the 1973 Act specifically provides that if a foreign law applies to a dispute, that law's limitation rules must also be applied.

Mr. Peter Bottomley (Eltham): I apologise for not being present during the earlier part of the debate on the

new clause. Will my hon. Friend advise the House about what would happen in the case of the BBC? It has transmitters in Scotland, so it would be clear that the alleged libel was propagated in Scotland. Would the BBC be exposed to a three-year limitation in Scotland, but to only a one-year limitation in England and Wales?

Mr. Streeter: My hon. Friend raises a theoretical case. He will know that almost every defamation action is started well within the 12-month period. As I have explained, the answer to his question would lie outwith the working of private international rules in a court of law. It would be for the court in which an action was brought to decide whether it had jurisdiction.

For all those reasons, we do not see that having a separate limitation period of one year in England and Wales, while retaining the limitation period of three years in Scotland, could or would cause confusion or difficulty. We have already made it clear that, following significant consultation in Scotland, there is no widespread desire for a change in the prescription period in Scotland. If my right hon. Friend the Member for City of London and Westminster, South wished to be consistent with his amendments, he would also have to seek to harmonise the assessment of damages north and south of the border. He would also have to harmonise the procedures in bringing any such action. That would be a mammoth and unenviable task. For all those reasons, it is not the Government's intention to harmonise the limitation period in England and Scotland and I ask my right hon. Friend to withdraw the new clause.

This debate is perhaps a modest foretaste of the folly of Labour's plans to introduce a system under which a Scottish Member could come to Westminster to make English law, but English Members could not go to Edinburgh to decide Scots law. Frankly, it does not and cannot work: the West Lothian question remains alive and kicking.

Mr. Peter Bottomley: I repeat my apology to you, Madam Speaker, and to the House for not being here for the resumption of the debate on the new clause.

I shall delay this Report stage for a moment by returning to the beginning. It is wrong to believe that an extension of time in Scotland balances the generally lower damages—the two issues are separate. There is not an argument for saying that, because people in Scotland have not asked for a reduction from three years to one year, we should continue with the unusual system of leaving more time for a potential pursuer or plaintiff in Scotland than for those in England, Wales and Northern Ireland.

I do not believe that we should harmonise everything, but as we have national publishers—broadcasters fall into that category to an even greater extent than newspapers, which may have separate titles north of the border—we should pay attention to them. When they suggest that it would be helpful to them to have more certainty, we should have a reason to say no to them. If the reason is that, when consulted, the people of Scotland did not ask for the period to be lowered from three years to one, and if most of the people who were consulted were lawyers, that is not of much help to those whose duty is to give the public information day after day.

Mr. Bill Walker: If my hon. Friend had been here when I spoke he might have been a little more careful. He would have realised that some of us are deeply concerned that two English Members should table a new clause on a matter affecting Scots law; whereas we believe that if this unitary Parliament is to operate effectively it must ensure that Scottish Members serve on Committees examining Bills of this magnitude.

Mr. Bottomley: My hon. Friend's point might have gone down better if my hon. Friend the Member for North-West Leicestershire (Mr. Ashby) and my hon. and learned Friend the Member for Harborough (Mr. Garnier) had been selected to serve on the Committee. There are others besides my hon. Friend who feel that they have just as important a reason to be sorry that they were not chosen to serve on it. I believe in a United Kingdom. If my hon. Friend is saying that I cannot raise the anomaly of the three years in Scotland as opposed to one in England, he and I have a dispute that I hope will turn out to be an argument, not a quarrel.

Mr. Allason: Does my hon. Friend accept that the solution is to harmonise on three years across the United Kingdom? Quite often the Press Complaints Commission can take up to two years to investigate a complaint, whereupon the complainant can go to law—but only in Scotland now, not in England. He will have to go to Scotland to bring an action against a national newspaper published in England, but which is also distributed in Scotland—hence my solution of getting rid of the anomaly by imposing a universal three-year limit.

Mr. Bottomley: That crossed my mind last week, which is why I tabled alternative amendments proposing three years. My personal preference is for three years in each jurisdiction. If a defamation is sufficiently serious to be the cause of an action—subject to the leave of the court where a person may not have been aware of what is published—it is far better if people issue writs very early on. The point about a libel is the damage it has done; the point of a writ is to put others on notice that what has been said is untrue, damaging, unprivileged and actionable. So the sooner the writ is issued, asking for retraction and reward, the better.

The point at issue here is why Scotland should be left with three years. The fact that no Scottish Minister is present suggests that last week's early-day motion has been ignored. It is said that the people of Scotland have not asked for a reduction. We should be able to do better than that in this House. We have a responsibility to the United Kingdom to try to make it possible for people to bring us news, views and comment—as long as it is not untrue or, in a legal sense, unfair comment.

When people say things that are seriously damaging and actionable we should expect them to be open to action for a reasonable period. I believe that more than a year is unreasonable nowadays; the Minister has backed that up by telling us how few cases begin after a year.

Madam Speaker: Mr. Brooke.

Mr. Jeremy Corbyn (Islington, North): I support amendments Nos. 16 and 17, which are grouped with the new clause—

Madam Speaker: Order. We are not there yet. We are on new clause 11, which is why I have called Mr. Brooke.

Mr. Brooke: Thank you, Madam Speaker, for allowing me the opportunity to respond. The hon. and learned

[Mr. Brooke]

Member for Fife, North–East (Mr. Campbell) referred to a seminar held between my right hon. Friend the Secretary of State for Scotland and my hon. Friend the Minister. I felt that I had been privileged to attend a similar seminar this evening. I hope that my hon. Friend the Member for North Tayside (Mr. Walker) will agree that the fact that I have attended such a seminar is one of the bonuses of these proceedings.

The Minister gave me a very full reply. He did not tell us precisely what advice he has received from the Scottish Law Commission. Had he told us that in Committee, we would not have returned to it tonight.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

RESPONSIBILITY FOR PUBLICATION

Mr. Peter Bottomley: I beg to move amendment No. 26, in page 2, line 27, leave out 'nature or'.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 16, in page 2, line 28, at end insert—

'(5A) In determining for the purposes of this section whether a person took reasonable care, or had reason to believe that what he did caused or contributed to the publication of a defamatory statement, where a statement published in an edition of a serial publication is in issue in defamation proceedings, the court shall not have regard to—

(a) a court finding of libel against a previous edition in the same serial publication which was published more than two years before the edition in question; or

(b) proceedings for defamation against a previous edition in the same serial publication which have not resulted in a court finding of libel.'.

No. 17, in clause 8, page 8, line 6, at end insert—

'(2A) The court may dismiss the plaintiff's claim where the defendant relies on the defence available under section 1(1) of this Act, unless the plaintiff can show that the facts of the case are such as to be unlikely to allow such a defence to be established, and the court is so satisfied.

(2B) The court may dismiss the plaintiff's claim where the defendant is a retailer, distributor or library and relies on the defence that he did not stock or hold the publication in which the alleged defamatory statement was published, unless the plaintiff can show that the facts of the case are such as to be unlikely to allow that defence to be established, and the court is so satisfied.

(2C) Where the defendant informs the court of his intention to rely on a defence provided for under subsection (2A) or (2B) above, the court shall be required to consider whether it should dismiss the plaintiff's claim; and in any such proceedings a body corporate shall not be bound to employ a solicitor to be on record with the court as acting for it, and in any such proceedings a limited company may be represented by one of its directors.'.

Mr. Bottomley: I preface my remarks by saying that I have been involved in a number of libel actions, none of which is relevant to the new clauses or amendments. I believe that the hon. Member for Islington, North (Mr. Corbyn) plans to speak to this group of amendments on behalf of the sellers. I was alerted to the issue by the periodical publishers, and I hope that hon. Members will forgive me if refer extensively to their briefing.

One of the intentions of the Bill is to create a new statutory defence that will be available to distributors, printers and others who do not have primary responsibility for a defamatory publication, provided that they neither knew nor had reason to believe that their acts contributed to the publication of defamatory material. That defence is set out in clause 1, and it was debated in Committee. The terms of the clause are such that some practitioners in law believe that the defence will seldom be available for use.

Clause 1(3) states that those who rely on the defence should not be considered the author, editor or publisher. I am advised that further conditions have to be satisfied and, in considering them, it should be borne in mind that the person for whose benefit the defence has been devised will have had no practical opportunity to see the material before it is published.

Clause 1(1)(b) states that reasonable care must have been taken, as defined in clause 1(5), and clause 1(1)(c) states that the persons concerned must show that they did not know and had no reason to believe that what they did caused or contributed to the publication of a defamatory statement. Again, that is defined in clause 1(5). Clause 1(5) lays down three criteria that determine whether a person took reasonable care:

"(a) the extent of his responsibility for the content of the statement or the decision to publish it,

(b) the nature or circumstances of the publication, and

(c) the previous conduct or character of the author, editor or publisher."

As I said in Committee, this is not the *Scallywag* defence. If a distributor continues to publish a magazine that is defamatory and actionable every time it is released, the fact that the publishers are people of straw should not provide protection for the people who are retailing it.

Given the fact that there is hardly a publication in the United Kingdom that has not published a defamatory statement at some time, it is difficult to see how any of the persons intended to benefit can do so. In addition, every defamatory statement is not actionable—it may be protected by privilege, or the person who has been defamed may not have a reputation that is worth bothering about.

The problem starts because the defendant must show that he did not contribute to the publication of a defamatory statement. When we talk about "a" defamatory statement, it means "any" defamatory statement. Therefore, an amendment to change "a" to "the alleged" would make the defence more available—it would then become the alleged defamatory statement. I suspect that the draftsmen will be prepared to accept that alteration. If they are not, perhaps the Minister can share with the House precisely why that which the practitioners think would be useful and make the defence effective cannot be brought into the Bill.

This point has come up rather late in a Bill that has had a reasonable amount of bipartisan agreement on the main clauses. When there is partisan dispute about a Bill, the process takes longer and it is possible for those with practitioners' experience to share their views with the Government, the civil service, the Opposition and the media. Therefore, more attention is given to the issues that could be incorporated in the Bill in a non-partisan way. The approach to the Bill has been reasonably non-partisan in most of its passage through Parliament, which is one of the reasons why some of the practitioners are, rather late in the day, trying to amend it.

Under subsection (5), difficulties would also abound because the intended beneficiaries for libel purposes are publishers and do not do their job if they do not publish. The decision to publish is automatic. Paragraph (b) would appear to be a great help if we could be certain that it refers to the mode of publication rather than, for example, the type of publication. An amendment that limited paragraph (b) to "the circumstances of publication" would be helpful, because the court could then take into account the lack of opportunity for the publisher, distributor or others to avoid or to delete the offending material.

9.45 pm

Paragraph (c) would create a difficulty. The Periodical Publishers Association recognises that distributors and others should not have carte blanche to carry publications of any nature without any risk to themselves. The trouble is that because the paragraph refers to the conduct of the publishers, the distributors of a children's comic would not be able to use the new defence. I tabled an amendment that substituted the word "publication" for "publisher". Unfortunately it was not selected, but it is relevant because it would avoid the difficulty and relieve the plaintiff and the defendant of the need to compile a dossier of claims to try to determine "previous conduct".

I tabled all my suggestions as amendments, and two have been selected for debate. They would not harm the Bill and they would be useful. If, by any chance, not all of them can be accepted by the Government tonight, I hope that they will have discussions with the Periodical Publishers Association and others so that the amendments might be incorporated in another place. The amendments are not a criticism of the drafting of the Bill: they are an attempt to improve it.

Mr. Corbyn: I was slightly ahead of myself in my previous attempt to intervene. I tabled amendments Nos. 16 and 17 on Report to try to deal with the dangers of libel proceedings for booksellers. It is a serious matter, because the selective libel actions that are being taken against a number of small and independent booksellers threaten their existence. Libel actions can be used selectively to practise censorship on other people's opinions. I look forward to what the Government have to say on the matter and, even if they are not prepared to accept the amendments, I hope that the Minister will be prepared to accept that there is a serious problem with the way in which libel actions have been taken against individual booksellers.

Amendments Nos. 16 and 17 would make it difficult for any potentially litigious person who takes a libel action against an individual who has written a defamatory article about him to extend that action beyond the writer of the article and the publisher. Under the present law, if someone writes a libellous article that is published in a newspaper, he clearly exposes himself to a libel action from the person he has libelled, as does the publisher. The printer is held to be liable to a lesser extent. These days, there is so much direct inputting to printing works that it is almost impossible to expect a printer to be able to read everything that he is printing. Likewise, it is not credible to expect someone running a bookshop, a newsagent or a vendor to have read every single magazine or book on the shelves. If they did, they would never be open, because the staff would be detained the whole day reading newspapers and magazines to ensure that they contained nothing that could be damaging to the bookshop.

The purpose of the amendments is not to stop people taking libel actions to protect their interests if anything outrageous was published about them. They are designed to protect innocent booksellers, lenders of books, newsagents and magazine vendors against litigation.

Some hon. Members may have seen the interesting article in last Saturday's edition of *The Independent*, entitled "Anti-fascist articles prove rich pickings". It described how two ultra right-wing activists in this country have taken a series of actions against *Searchlight* newspaper. They have enjoined in that action a small number of people whom they deem to be stockists of that magazine and have threatened them with libel action. As there is no access to legal aid in libel actions, a number of bookshops have been forced to settle out of court at considerable cost to them.

The two individuals concerned threaten that the bookshops either stop stocking an anti-fascist magazine such as *Searchlight* or face the prospect of libel action. They produced a magazine that was deeply critical of the bookshop Centreprise in Hackney and wrote on the front page of the publication, "Produced by courtesy of Housemans bookshop". That bookshop had been forced to settle out of court on a libel action and those people used the proceeds from that action to publish a pamphlet attacking another radical bookshop.

I have tabled the two amendments because I believe that the time has come to deal with the issue. Bookmarks bookshop in my constituency and the nearby Housemans bookshop in King's Cross have been subject to terrorism by far-right groups that seek to prevent them from stocking certain types of journals. I hope that the House will recognise the importance of my comments. When the individuals concerned were challenged about their activities, they said that they intended to continue, as the liability rests only with the recipients of that litigation. It seems grossly unfair that those people should be allowed to target a number of radical bookshops around the country and ignore larger bookshops that would be in a better position to defend themselves.

My amendments go a long way towards defending the diversity of bookshops and booksellers. I think that all hon. Members will agree that that is important. They also defend innocent booksellers, newsagents and purveyors of news from libel action involving material of which they could have no knowledge. The amendments tabled by the hon. Member for Eltham (Mr. Bottomley) and myself would go some way towards protecting their position. I look forward to the Minister's accepting the burden of our argument about the defence of individuals in that situation.

Mr. Streeter: I am glad that the amendments have been tabled. We have had a useful debate about the important new defence that has been introduced in clause 1.

However, I believe that amendment No. 26, in the name of my hon. Friend the Member for Eltham (Mr. Bottomley), is misguided as it seeks to remove the words "nature or" from the description of a relevant publication in clause 1(5). The nature of the publication is a relevant issue that must be considered when ascertaining the responsibilities of printers, distributors or wholesalers and whether they can offer that defence to a defamation action. My hon. Friend mentioned the magazine *Scallywag*—which I think is now defunct—and

[Mr. Streeter]

it was in the nature of that publication to libel people. We must put distributors, printers, wholesalers and retailers on notice that they should have regard to the nature of a publication if they seek to rely on that defence. Therefore, I cannot accept my hon. Friend's amendment No. 26. Of course, I am prevented from considering amendments that have not been selected.

I understand the thrust of the remarks by the hon. Member for Islington, North (Mr. Corbyn), about amendments Nos. 41 and 42. However, they would introduce unnecessary fetters on courts when considering precisely what they can take into account in determining whether the defence that is set out in clause 1 applies. I encourage the hon. Gentleman to rely on the new defence that is set out in clause 1, which—having listened carefully to his remarks—I think offers a strong and complete defence to the people with whom he is concerned. However, I cannot accept the amendments. I am sorry, but when I referred to amendments Nos. 41 and 42, I meant amendments Nos. 16 and 17.

Madam Speaker: Is the Minister back on his correct brief?

Mr. Streeter: Absolutely, Madam Speaker. Thank you very much for keeping me in order.

The hon. Gentleman is wrong, as a court must take into account whether a retailer, bookseller or library has stocked a particular publication. Of course, if no such publication has been stocked, that is a complete defence in any action for defamation.

Mr. Corbyn: A number of bookshops throughout the country stock *Searchlight*, a respected anti-fascist magazine.

Mr. David Winnick (Walsall, North): An excellent magazine.

Mr. Corbyn: I agree.

People who do not like the message contained in *Searchlight* have selected a number of bookshops, the burden of their threat to any other bookshop being, "If you stock this magazine, you will get the same treatment." It is selective terrorism against radical bookshops, in the knowledge that they have little resources with which to fight a libel case, so many of them have been forced to settle out of court, paying money that they can ill afford to keep these people happy.

Mr. Streeter: I am concerned to learn that, and I shall be happy to see the hon. Gentleman to discuss that case. I have no time whatever for the bullying tactics that he described. I shall be delighted to receive a delegation from him and to explore more fully what the law can do to protect his constituents.

This has been a useful, albeit brief, debate. I understand the reasons why the amendments have been tabled, but I cannot recommend that the House accept them.

Mr. Peter Bottomley: On the understanding that my hon. Friend will meet the delegation led by the hon. Member for Islington, North (Mr. Corbyn); if my hon. Friend and his officials will meet the fear of the publishers, who can explain to him at more length than time allows this evening the problems of a publisher who owns a major newspaper which may, rightly or wrongly, at times be involved in libel actions as part of its general search for news; and given that the word "publisher" is in the Bill, rather than "publication", and any children's magazine can be subject to an attack because a retailer is also selling, say, *The Sun* or any of the mainstream periodicals; it would be inappropriate to press the amendment to a vote.

I believe that the Bill is defective, and I am grateful to my hon. Friend for his acknowledgment of at least one of the points that was raised, and I hope of mine as well. If my hon. Friend is open to meet people, I shall not press the amendment to a vote, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

OFFER TO MAKE AMENDS

Mr. Ashby: I beg to move amendment No. 15, in page 3, line 1, leave out from 'in' to second 'and' in line 2 and insert

'an article of the same size and type and of the same prominence as the defamatory article'.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 1, in clause 3, page 3, line 18, after first 'offer', insert

'save and except in the case of a qualified offer'.

No. 2, in page 3, line 19, at end insert—

'(2A) Where there is a qualified offer in respect of one part of a defamation, a plaintiff accepting a qualified offer to make amends shall be free to pursue an action for defamation in respect of other parts of the defamation for which no offer of amends has been made.'.

No. 4, in clause 4, page 4, line 20, leave out from beginning to end of line 40.

No. 5, in page 4, leave out lines 33 and 34.

No. 6, in page 4, line 40, after 'defence', insert

'only in so far as it applies to the meaning to which the offer related.'.

Mr. Ashby: I find it difficult to get up at the moment, as I was gardening on Sunday and now have a bad back.

As the law stands, a publisher who has published a defamation and admits that he has done so can publish a correction and apology in mitigation of damages and pay money into court. That seems to me to be quite sufficient. If that is not accepted by the victim—I stress again that I always use the word "victim" rather than "plaintiff"—they can go before a jury and the jury can assess the damages.

The clause seems to be a means by which a publisher, without a leg to stand on, can avoid damages being assessed by a jury. I find it odd and quite wrong that if a victim is unhappy about an apology that has been offered and therefore proceeds with his case, he can lose all rights to recover damages, even when it is admitted that a serious libel has been published. That is the effect of the clause, and we should understand what we are doing.

Libel actions rarely involve one specific allegation, and more often consist of a number of defamatory statements, all of which can have various defamatory meanings. As the law stands, a publisher can make a qualified offer of amends in respect of one defamatory meaning. Under the clause, a publisher can offer to apologise, make a correction and pay damages over one allegation, but seek to justify the rest of the article, and the victim, who may reject the offer, may end up losing even the damages to which he was entitled.

I have said throughout that this is a publishers' Bill. Not surprisingly, in previous arguments we have heard all about the leader lawyers' point of view. It came out of Lord Justice Neill's inquiry. As I have said in the Chamber before, he sought only the advice and evidence of the leader lawyers. The victims' lawyers did not hear about the matter until a couple of days before the inquiry ended, when they hurriedly summoned and managed to submit some evidence.

The Government swallowed that hook, line and sinker. There was an offer to make amends, which was a disgrace. I have tried to improve the position in the amendments, suggesting that, rather than a correction and apology being published

"in a manner that is reasonable and practicable",

an article of the same size as the defamatory article should be published.

It being Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Defamation Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Wells.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Question again proposed, That the amendment be made.

Mr. Ashby: That seems to accord with much that has been said in the House. We have always said that we should have some sort of right of reply. Disgraceful defamations are made, and then we see a tiny apology on the back page, an inch high, covering nothing like the spread that was on the first or second page. At the very least, we should be demanding such coverage for the correction.

My amendments also deal with cases involving a qualified offer. As I have said, the current position is one-sided, leaving the poor defendant absolutely open to what may happen to him. He may reject the offer and end up losing even the damages to which he is entitled. Amendment No. 1 deals with that, but makes the proviso:

"save and except in the case of a qualified offer".

Amendments Nos. 1 and 2 deal with clause 3. The other amendments deal with clause 4, which is entitled

"Failure to accept offer to make amends".

If the poor chap has not accepted such an offer, he is done for: he is hammered into the ground, and does not have a leg to stand on. That, of course, is exactly what the newspapers want. The Bill is a charter for newspapers. It has been proposed by publishers who themselves have not a leg to stand on, so that they can avoid having damages assessed by a jury. That is what clause 4 is about, and that is why I have tabled my amendments.

Mr. Peter Bottomley: As my hon. Friend the Member for North–West Leicestershire (Mr. Ashby) knows, I support all but his first amendment. I do not think that, under that amendment or under clause 9, the courts should be able to force a publisher or a broadcaster to produce an apology in a particular position, especially one taking up the same space as the original comment. I understand, nearly as much as my hon. Friend, the pain and anguish that are caused when something highly damaging is published, but I believe that the House has the role of protecting the freedom of those who bring us the news. *[Interruption.]* I wish that the hon. Member for Brent, South (Mr. Boateng) would stop laughing. This is a serious point for a number of people, both members of the press and victims.

Even given that, however, what most victims—to use my hon. Friend's language—want is first a cessation of publication of what has been said, so that it is not picked up and repeated by the same publication or others; secondly, a retraction and apology; and thirdly—especially if there is not an almost immediate apology for anything factually incorrect—a sum in damages that shows the world that what was said was seriously wrong.

I feel that clause 9, and my hon. Friend's amendment in particular, are the wrong way of approaching the problem. I do not think that the House spends nearly enough time trying to understand the difficulties of the busy media who feature news and current affairs, whether in print or in broadcast programmes. Newspapers and broadcasters can maintain high standards; they ought to be more self-critical. In general, however, one of the penalties of a free press is the existence of victims. To require the same space and the same prominence after a court has reached a conclusion or the parties have reached an agreement is probably a step towards Parliament and politicians determining what is broadcast and what is printed.

I support the rest of my hon. Friend's amendments. I am sorry that under the rules of the House it is not possible to debate my amendment to clause 9, which faces this issue more directly than does my hon. Friend's amendment No. 15.

Mr. Streeter: It is in the wise tradition of the House to listen carefully to those who draw on personal experience. Amendment No. 15 seeks to force a newspaper to print an apology in an article of the same size, type and prominence as the defamatory article. The truth is that editors would simply not use that new fast-track procedure of making amends if they had to suffer a total surrender of editorial independence in such a manner. The Bill already provides that an apology or correction should be published in a manner that is reasonable and practicable in all the circumstances.

The amendments also suggest that when a plaintiff accepts an offer to make amends, he may none the less sue on some part of the alleged defamatory statement. Such a provision would undermine the entire purpose of making a qualified offer. Again, no defendant would make such an offer, leaving the plaintiff free to take the offer and still go to court. It would be to have one's cake and to eat it.

[Mr. Streeter]

The amendments would also allow all parties to elect to have a jury involved—virtually a jury trial—contrary to other provisions in the clause. That is not appropriate in this new fast-track procedure, as part of its attractiveness is that the hearing is before a judge and not a jury. If the plaintiff wants a full-blown jury trial, obviously he will not accept an offer to make amends and will press on with his litigation under the normal rules of procedure, with all the attendant risk.

I have listened carefully to my hon. Friend the Member for North–West Leicestershire (Mr. Ashby), but the amendments would undermine the whole purpose of a streamlined fast-track procedure. I cannot advise the House to accept them.

Mr. Ashby: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Peter Bottomley: Amendment No. 40 relates to convictions, but I sense that the House does not want a serious lecture. If this does me any good later with those individuals who might be the party managers, I shall not move amendment No. 40.

Clause 13

EVIDENCE CONCERNING PROCEEDINGS IN PARLIAMENT

Amendment proposed: No. 21, in page 10, line 32, leave out from beginning to end of line 17 on page 11.—*[Mr. Boateng.]*

Question put, That the amendment be made:—

The House divided: Ayes 201, Noes 264.

Division No. 154] **[10.07 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Higgins, Rt Hon Sir Terence
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lester, Sir James *(Broxtowe)*
Lewis, Terry
Liddell, Mrs Helen
Livingstone, Ken
Loyden, Eddie
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McLeish, Henry
Maclennan, Robert
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony

Tellers for the Ayes:
Mr. Andrew F. Bennett and Mr. Clive Soley.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Eggar, Rt Hon Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Horam, John
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCrea, The Reverend William
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Waller, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Edward Leigh and
Mr. Michael Brown.

Question accordingly negatived.

Bill read the Third time, and passed, with amendments.

Children's Hospices

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

10.21 pm

Dr. Robert Spink (Castle Point): Britain is truly great. We lead the world in many areas, but in hospice care, we are—*[Interruption.]*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. Will hon. Members who are leaving the Chamber please do so quietly?

Dr. Spink: In hospice care, Britain is entirely unchallenged. Our hospice movement is held in unequivocally high esteem abroad as well as in the House. There is no—*[Interruption.]*

Mr. Deputy Speaker: Order. I am having great difficulty in hearing the hon. Gentleman. Will hon. Members please have their conversations outside the Chamber?

Dr. Spink: There is no political edge to this debate. All parties value and cherish the superb hospice movement. I welcome to this debate colleagues and friends from the three main parties and thank them for their thoughtful and kind support. The only Labour Member who represents an Essex constituency, the hon. Member for Thurrock (Mr. Mackinlay), has sent his apologies for his absence. He is genuinely supportive and genuinely otherwise engaged.

Our children are everything. Early on a cold December morning, a small child was born and was obviously very unwell. The doctors and nurses did all they could, but the negative prognosis seemed inescapable. I looked into the eyes of the father and began to understand the depth of human despair. I was looking in a mirror, and by the grace of God, my son survived. In part, that is why I am opposed to euthanasia and why I sincerely believe that it would be very dangerous were it ever legalised. However, I do not want to get into that debate—important though it is.

I am wearing the badge of the hospice movement's national sunflower campaign. On Saturday, I attended many local events, including the splendid Methodist Church garden party at the home of Richard and Jill Reeves in Benfleet. At those events, many sunflowers were worn. The sunflower campaign, like the Little Haven project in Essex, has caught the public's imagination and enthusiasm. The public know the strength and importance of our hospice movement and cherish it deeply. I have enormous admiration for those who contribute to the movement by volunteering, fund raising or working within the movement, and I especially thank all those involved in palliative care in the community, particularly the Macmillan nurses—they are wonderful people.

Last Sunday, I attended my constituency's annual show, which was generously sponsored by Mobil. I was deeply moved to see Robin Reed, on behalf of all the staff of Mobil, present a cheque for more than £30,000 to the Eastern area hospice. The Mobil staff raised that massive amount by exercising their skill and professionalism in further driving up safety standards for major plant overhauls—a worthy achievement for Mobil and a wonderful boost for the hospice movement. I congratulate Mobil and I sincerely thank its staff.

The focus of the debate is the special nature and character of our wonderful children's hospices. They are uniquely different from adult hospices and I hope to show how they augment what is a very important part of our health and social care services. I must first acknowledge the detailed briefings that I have been given by Robin Fanshawe of Little Haven and Graham Collins of the Quidenham children's hospice in Norfolk. I draw heavily on those briefings tonight.

Perhaps it will help if I start with a local anecdote. Fair Havens hospice in Southend has done marvellous work as an adult hospice, but came under great pressure from time to time to take a child with terminal illness. On one occasion, this was agreed. There was certainly some benefit for the family and perhaps also for the child, but she was too ill for the carers to be sure. However, her crying caused distress to adult patients in the hospice. It was therefore decided that future child referrals would have to be refused as, apart from that aspect, there are many other differences between adult and children's hospice care.

Let me start at the beginning of children's hospices, which was an initiative of Sister Frances Dominique in 1982 in Oxford to set up the first children's hospice in the world. You see, Mr. Deputy Speaker, we are genuinely leading the world in this area. The hospice was named Helen house after a little girl who had a brain tumour. This beautiful and once lively little child was left totally helpless, unable to communicate and requiring constant care. Sister Frances was moved by the plight of Helen and her family. Being a trained nurse, she gave Helen's parents much needed respite.

It was clear to Sister Frances that many families would be in the same position, and that was the start of the children's hospice movement. From that genesis evolved the original model that the world was to accept and follow. Fourteen years on, there are 11 children's hospices fully operational in the UK and several more at various stages of development. These help families in the UK who have a child suffering from a life-threatening or life-limiting condition.

A life-threatening condition is defined as one in which medical intervention may prove succesful but which carries a substantial possibility of premature death, or one which makes a child especially vulnerable to opportunistic infections which may prove fatal; heart disease or cancer are examples. A life-limiting condition is defined as a progressive degenerative condition that is likely to lead to premature death; for instance, cystic fibrosis or muscular dystrophy. It is important to note that children's hospices differ from adult hospices in that fewer than 15 per cent. of our children suffer from cancer in any form. Most children in hospices are suffering from long-term progressive disorders.

The aim of the children's hospice movement is to enable families to care for their children at home most of the time. In that way, the children can continue to attend school, see their friends and generally continue a normal routine as far as possible. Clearly, that is very important to the child.

Hospices offer practical, emotional and spiritual support and friendship to the children and their families and recognise the child's home as the centre of the care

and the family as the experts in that care. The hospice team likes to be involved with the family before the child's illness reaches a terminal stage, if that is what is to be. Early relationships will be invaluable at the time of death. The needs of each member of the family are equally important and the hospice movement is committed to all family members.

Stays booked for respite typically last from one day to two weeks, but at times of emergency—social or medical—or for terminal care, they can be extended over a longer period. That is why it is so important that the ethos, mood and even the architecture and furnishings of the hospices all create a cheerful and homely, happy atmosphere. Hospices offer accompanied or unaccompanied respite care, as well as terminal care and long-term bereavement care.

Hospices try to be flexible in response to the individual needs of the children and families, working in full co-operation with all the other services, and, of course, all hon. Members will realise that no charge is made to the families for the care offered. Parents receive immense relief from an uninterrupted night's sleep, or just having time to talk together or walk together without the children. Hospices have kept families together and saved marriages.

A hospice is not a facility, or a collection of equipment, buildings and people with skills and knowledge—it is much more than that. It is a philosophy—a Christian philosophy. If hon. Members visit a children's hospice, as many do, they will be amazed at what they find. A hospice is not a sad place, even though many children have a poor prognosis. Whole families are usually staying at hospices—well children and pets are often running around and the sick children all enjoy being a part of that loving, happy, joyful and sometimes even noisy environment. In addition, members of the care team maintain contact and support for the families at home and, where necessary, provide practical help there.

In 1992, the Government provided £1 million per year for five years to pilot new services in England for children with life-threatening conditions and their families. The Department of Health called for applications and received hundreds from throughout the country. That clearly demonstrated the need. Thirty-two projects were selected, covering hospital-based services, community home nursing services, voluntary respite and sitting services, counselling and psychological support. None of the money went towards the running costs of existing children's hospices.

Also in 1992, Professor Alison While of King's college commenced research designed to examine the needs and provision of hospice care for children. Professor While's study might well be able to substantiate the figure of 20,000 children with life-threatening illnesses in this country.

It is estimated that there is a need for about 20 to 25 children's hospices in the foreseeable future and that that need will remain static. The hospices are mostly planned and should be—as they are—spread across the country, to fulfil the special hospice philosophy.

The Little Haven children's hospice is being built in my constituency on a 120-acre site at Daws Heath. It is a delightful, wooded site in the green belt and I congratulate the local council and particularly Mr. Ian Burchill, the director of planning, on their foresight in assisting that unique development.

Twenty acres of the site will be used for hospice grounds and the remaining 100 acres will become a nature reserve under the care of the excellent Essex wildlife trust. Little Haven is easily accessible from the A127 from all over Essex and beyond, including outer London and north Kent. I am delighted that my hon. Friend the Member for Chelmsford (Mr. Burns) is sitting on the Treasury Bench and listening to the debate, as it will benefit many of his constituents. I know that it has his full support.

Lord Braybrooke, the Lord Lieutenant of Essex, has generously agreed to cut the ceremonial first turf in early September. I also understand that Sister Frances Dominique will join us for the ceremony, which will be a great honour for my constituency. Building and commissioning will take about a year. It is hoped that the first families will be in residence in the hospice in autumn 1997.

Little Haven is uniquely well situated for access as well as for its serenity and the peaceful nature of its setting in the green belt of my constituency. The groundswell of support from the people of Essex and beyond has been nothing short of phenomenal. So far, £1.35 million has been raised towards the £3 million needed for building and the first year's running costs. It will be the first hospice, and possibly the only one in the south-east, to care for terminally ill children below the age of 18.

I am tempted to mention the wonderful efforts of specific companies, schools, individuals and even local Conservative clubs who are fund raising for Little Haven, but it would be invidious to mention any one since so many have made magnificent efforts and are still doing so. With Lord and Lady Braybrooke and others, I am a patron of the Little Haven children's hospice appeal. I note that my hon. Friend the Member for Southend, East (Sir T. Taylor), who is also a patron, is here. With your permission, Mr. Deputy Speaker, perhaps he will be able to speak briefly.

My small efforts for the hospice pale into insignificance compared with the wonderful support that the project is receiving from many of my constituents. My hon. Friend the Member for Basildon (Mr. Amess), who is also here, is one of the best friends of the hospice movement in the House. He and I will be promoting a fund-raising dinner for the hospice movement in the Palace of Westminster this autumn. We hope that it will be supported by the spouses of many Essex Members. We are doing that because it is important that the momentum of fund raising is maintained to secure the hospice's long-term future.

God forbid that any of our families will ever need to call upon the hospices, but God knows, if we do, they will be there. Little Haven brings great credit to my constituency. I am honoured to host it. I had thought that I might mention one or two members of staff at Little Haven and at Fair Havens hospice, Westcliff, who are so closely involved. Many of them have a dual role in both hospices. However, that would be wrong, because the essence of the project is team work. All the staff have an essential part to play. They all work together for the ultimate benefit of the children and families whom they support.

I shall briefly deal with funding for hospices generally. Everyone in the movement understands the importance of the voluntary charitable basis of the initial establishment of hospices and of their long-term running costs. That predominantly voluntary source of funding is one of the

[Dr. Spink]

great and uniquely British strengths of our hospice movement and should not in any way be underestimated or undermined. That is not to say that there should be no input from public funds. Some hospices receive a significant proportion of their funding from various public sources; others receive little or nothing.

The Government must develop a policy for the funding of hospices, including children's hospices. I suspect that a balance of between a quarter and a half drawn from public funding would be appropriate in the medium term as an average across the hospice movement. That money would be well spent, because it would reduce the burden on the national health service in the long run. I hope that my hon. Friend the Minister will acknowledge that the funding debate is open and that the question should be addressed.

Sadly, Hope house, a new children's hospice in Oswestry, is struggling to utilise all its beds, because of a funding shortfall. I congratulate the *Daily Post* in Liverpool on its campaign to raise funds for Hope house. If all the county council social services departments that are served by Hope house gave £25,000 from their multi-million pound community care budgets, it would be able to give the care that is so much needed, which would relieve the burden on the state in the longer run.

Finally, the national lottery has been a tremendous success and has raised about £2 billion of additional funds for good causes in this country, which I welcome. There could be few more deserving or more popular good causes than the wonderful hospice movement, particularly children's hospices. I do not want to end on a controversial note, but some lottery giving to the arts, sports and some politically correct charities does not sit comfortably with the views of those who buy the lottery tickets. But that is another debate.

Sir Teddy Taylor (Southend, East) *rose—*

Mr. David Amess (Basildon) *rose—*

Mr. Deputy Speaker: Order. Is it the wish of the Minister that the two hon. Gentlemen participate in the 11 minutes left to him to answer?

The Parliamentary Under-Secretary of State for Health (Mr. John Horam) *indicated assent.*

10.40 pm

Sir Teddy Taylor (Southend, East): I welcome what my hon. Friend the Member for Castle Point (Dr. Spink) has said about the children's hospice in his constituency. He will know that the action was initiated in the Fair Havens hospice, with which I have had the pleasure of being associated as its president for many years.

The crucial factor that I hope that hon. Members will bear in mind is that the hospice movement is a costly organisation to run. I was sometimes appalled at management meetings at the way in which others looked forward to the expansion of the hospice movement because the resources are based simply on faith and optimism. However, the other committee members have always been right and I have been wrong—the money has always been made available.

As my hon. Friend has rightly said, the hospice movement in Southend has been safeguarded and developed because of astonishing generosity on the part of the community. Only last week I had the pleasure of being on the Southend seafront when a gentleman whose relative had been in the hospice said that he wanted to show his gratitude by cycling all the way from Glasgow to Southend-on-Sea. I know that it will be quite a journey as it is one that I have undertaken in other ways on many occasions.

The only thing that worries me is that, while I have the optimism and faith because of my contact with Fair Havens hospice in Southend, it has been developing and expanding at a furious pace. We provide a wonderful home-care service and aftercare; we have developed the service in many ways and we find that the costs are substantially increasing. The hospice has been kept going owing to the generosity of the people of Southend.

There are many problems in any such movement. There is a huge strain on the staff who have a very special job to do. While I am not asking the Minister to do anything specific, I hope that he will ensure that the Government will keep in touch with the hospice movement and that Ministers will pay regular visits to the hospices to give them the encouragement that they richly deserve. Like my hon. Friend, I should like to congratulate the hospice movement on a fantastic job that has been done thoroughly, with great integrity and devotion. I hope that it will go from strength to strength, and I hope that the children's hospice in my hon. Friend's constituency will provide the same level of service, care and Christian service that Fair Havens has for so many people over the years.

10.43 pm

Mr. David Amess (Basildon): I congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on securing this debate tonight. It is particularly appropriate because I am advised that my hon. Friend's son George was today awarded a distinction in surgery and MBBS honours at King's, London—and that in addition to a host of other educational qualifications that he has. I only hope that some of my children do as well as my hon. Friend's son.

In Basildon we have St Luke's; Fair Havens is in the constituency of my right hon. Friend the Member for Southend, West (Mr. Channon). We all pray that eventually cancer is eradicated. For a long time there has been a gap in our area in terms of the care for children. All of us with children can well appreciate the terrible consequences when a child becomes ill. In Basildon, a member of the general public has founded a support group known as Cushions, which tries to give some support to the parents of children with cancer. The Little Haven project is also doing magnificent work.

My hon. Friend the Member for Castle Point touched on the fact that the partners of Essex Members will endeavour to raise funds over the course of the coming year.

I conclude with a quotation from the team at the Little Haven hospice:

> "As a team we are very conscious of our own inadequacies. We feel that we are one group of people offering simply to be alongside another group of people sharing something of their immense pain and brokenness and knowing that we receive as much, probably more, than we can give. We do not have clever answers, but we are willing to share ourselves and our vulnerability."

It is very difficult to add to that.

10.45 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I too congratulate my hon. Friend the Member for Castle Point (Dr. Spink) on raising this very important matter. I congratulate him on a fluent and warm-hearted speech. Children's hospices have come a long way since the first purpose-built hospice in Britain—or anywhere in the world—was opened in Oxford in 1982.

Increasingly, we are recognising the important role that children's hospices play in the care of children suffering from life-threatening or life-limiting illnesses, for whom there is no hope of cure. Children have needs that are very different from adults', and different skills are required to care for them. Perhaps more meaningful for many is the important part that hospices can play in bringing support to the families of those children. More and more it is being seen that the hospices go beyond the care of a terminally ill child and provide support for the whole family.

Many, if not all, hospices now include family rooms and accommodation for brothers and sisters. That gives all the family, especially the parents, the chance of respite and a break from constant attendance to their child. They get a chance to relax in a homely, non-hospital environment with others of similar experiences. My hon. Friend talked of the joy and happiness that can be found in these circumstances, and I am sure that he was right.

In the case of some of the rarer conditions, many parents build up a unique knowledge of their child and of the management of that child's condition. The sharing of these experiences with other parents can be a source of great strength and comfort; especially when, as often happens with the rarer genetic disorders, parents have responsibility for more than one sick child.

This leads to the recommendation that if a child is to attend a hospice, it should be one that is child-oriented and properly dedicated to the care of children and their special requirements, not part of an adult facility. Adult hospices that want to include children should develop separate facilities especially equipped to cater for their special needs.

It is now generally accepted that most families want to care for their sick child at home for as long as they can, and that many parents want their child to die at home. Their wishes need to be respected, and children with life-threatening illnesses should receive care based on their home. However, in meeting these wishes parents will need help and support. There are many ways to support those families, depending on their precise needs and on what contribution children's hospices can make to meeting the needs of the child and family. As new services are introduced, their effectiveness must be looked at.

So in 1992 we launched a programme to run for five years, with the overall aim of forming a better appreciation of the services that are most beneficial to seriously ill children and their families. One million pounds a year has been provided to fund this programme. By the time it ends, in March 1997, support will have been given to about 40 projects, ranging in size from under £1,000 to some over £200,000. They are spread evenly across England, and include initiatives in both statutory and voluntary sectors. All break new ground, and range from pioneering community home nursing services to support for voluntary respite care within a hospice dedicated to children.

Various projects aim to explore the contribution that community paediatric teams, especially paediatric nurses, can make to help those families. Other developments have been supported by the programme, including the concept of the hospice at home—this can be either an outreach facility from an existing hospice or a domiciliary nursing service provided by a voluntary or statutory organisation that seeks to help with the management of the sick child's symptoms in the home.

Little Haven hospice at Southend-on-Sea, of which my hon. Friend is the patron, has been awarded a modest grant from programme funds in support of a local survey that it is mounting to validate the information that is available on the children in its immediate area who may require its services.

The importance of children's hospices is being increasingly recognised by the health service. Children's hospices now have access to health service funding on the same basis as adult hospices. Since 1994, funds have been included in health authority allocations for the purchase of palliative care services. Health authorities can now commission palliative care services for all their populations, including children. They are no longer restricted, as they were at one time, to supporting adult hospices—they can include children with life-threatening illnesses. They have been given the power to decide for themselves the appropriate amount of funding to meet the needs of their local populations in this regard.

While domiciliary services may be the first line of support for families, when the services of a children's hospice are seen to have an important role to play, contracts can be arranged and funds can be provided. I understand that some hospices now receive a significant part of their funds through service contracts.

I value highly the dedication and commitment of all those involved in the children's hospice movement. Many people put in many thousands of hours of their own time to raise money and to run events in support of the hospices, including my hon. Friend and his friends. Without their effort, the lives of many children and their families would be definitely a good deal poorer.

Question put and agreed to.

Adjourned accordingly at nine minutes to Eleven o'clock.

House of Commons

Tuesday 25 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BELFAST CHARITABLE SOCIETY BILL *[Lords]*

CITY OF LONDON (APPROVED PREMISES FOR MARRIAGE) BILL *[Lords]*

Read a Second time and committed.

Oral Answers to Questions

SOCIAL SECURITY

Benefits (Young People)

1. **Mrs. Ewing:** To ask the Secretary of State for Social Security if he will make social security benefits available to (a) 16 and (b) 17-year-olds. [32972]

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): They are already available. Our policy is to encourage young people to stay on at school. Child benefit is an important element in this. Those young people who do not remain in education are guaranteed a suitable training place. If they are registered for employment and training, they have access to income support if they would suffer severe hardship while awaiting placement.

Mrs. Ewing: I realise that the Minister wishes to attack the official Opposition on their attitude to child benefit for 16 to 18-year-olds, but may I draw his attention to the fact that the International Labour Organisation has said that a substantial number of young people in Britain are not currently eligible for unemployment benefit between the ages of 16 and 17? Is he aware that the House of Commons Library estimates that we are talking about a budget of about £187 million for the whole of the United Kingdom and £21 million for Scotland? Why do the Government have a Scrooge attitude to young people, who when they set out on adulthood should have the concept of independence available to them?

Mr. Evans: It is not a Scrooge attitude. The Government's policy is to encourage people to stay at school to take A-levels and to learn more, which the majority do these days, to obtain suitable training or to obtain a job. It is not the Government's policy and we reject the idea that one should encourage young people aged 16 and 17 into welfare dependency at an early stage unless there are compelling reasons of hardship. I should stress to the hon. Lady that 79 per cent. of hardship claims were met in 1995.

Mr. Fabricant: Would not the abolition of child benefit be not only a teenage tax but a retrogressive tax of the worst kind? Would it not attack the poor families who would like their children to go to secondary school and on to university—the very people whom we care for and for whom the Labour party does not care a damn?

Mr. Evans: My hon. Friend is right. One quarter of the households in which child benefit is paid to 16 and 17-year-olds are in receipt of income-related benefit. They are part of the £700 million alleged savings relied upon by the official Opposition. Presumably, the Opposition intend to take child benefit away from the poorest section of the community.

Mr. Sheerman: When the present Prime Minister was a social security Minister did he not take benefit away from 16 to 18-year-olds? If one looks at the record, that coincided with the greatest surge in juvenile crime that this country has ever known. Is it not a fact that the less advantaged young people in Britain have been penalised by the Government's mean-minded attitude?

Mr. Evans: No. The striking feature of the past 18 years has been the rising number of people aged 16 and 17 staying at school to study for A-levels and doing training. That is the correct policy. We shall continue to pursue it.

2. **Mr. Nigel Evans:** To ask the Secretary of State for Social Security what assessment he has made of the role of child benefit for 16 to 18-year-olds in encouraging children to stay in full-time education. [32973]

The Secretary of State for Social Security (Mr. Peter Lilley): Child benefit clearly plays an important role in encouraging young people over the age of 16 to stay on in full-time education. Removing it for 16 to 18-year-olds, would only make it more difficult for parents to enable their children to stay on and acquire qualifications which will help them to get decent jobs.

Mr. Evans: Will my right hon. Friend confirm that the Government have no intention of leaching child benefit off the backs of 16 and 17-year-olds who decide to stay on in full-time education? Does he believe that if we were to adopt the policy of the Labour party, it would give a dire choice to many young people: they would be taxed for staying on at school or they would be forced to leave school and to find work?

Mr. Lilley: I can certainly give my hon. Friend that assurance. Child benefit reflects the costs of having dependent children. It does a double task for over 16-year-olds, as it enables them, and encourages them, to stay on at school. Once a party has adopted a policy of withdrawing or means testing child benefit for those over 16, it is hard to see on what basis it can justify keeping it for those under 16. The Labour party will need that money to finance all of its other extravagant spending plans.

Mr. Wicks: Does the Secretary of State accept that child benefit for children over 16, together with related measures, is neither rational nor fair given that no support is going to many of the most disadvantaged children and their families? Given that the Government froze the level of child benefit for three years running, does the Secretary of State accept that their present attempt to pose as the guardians of family benefit has nothing to do with integrity and everything to do with hypocrisy? Does he accept that when the mothers of Britain see the Conservative Government posing as the friends of the family, they start to count their pound notes?

Mr. Lilley: The hon. Gentleman has read out the text supplied to him by the hon. Member for Dunfermline, East (Mr. Brown). He has asked me to justify the policy of his hon. Friend—he should ask his Back Benchers, not one of whom has endorsed the policy of the hon. Member for Dunfermline, East. They know that it is nonsense and they know that he adopted it on the basis of misinformation about the number of children from unskilled households staying on at school and in the mistaken belief that it was, in his words, primarily a subsidy for the mothers of children at public schools. He knows that that is nonsense, and it does him no credit that he is trying to justify a policy in which he has never believed.

Mr. Harry Greenway: Does my right hon. Friend agree that the Labour party's talk of pound notes—which went out of circulation many years ago—shows how out of touch it is? Has my right hon. Friend made an estimate of the number of 16 and 17-year-olds who would be forced out of education, and therefore a lifetime opportunity, by the Labour party's determination to take away child benefit, if it ever gets the chance? Would not that be wicked?

Mr. Lilley: My hon. Friend picked up a Freudian slip that was made by the Labour party—which is extremely revealing. The parents of approximately 1.1 million children over the age of 16 are in receipt of child benefit. It is hard to judge how many children would be dissuaded from staying on at school if the Labour party's policies were adopted. Between 1974 and 1978, a mere 20 per cent. of children of unskilled parents stayed on at school; today, more than half of such children stay on at school.

Habitual Residence Test

3. **Mr. Madden:** To ask the Secretary of State for Social Security if he will withdraw the habitual residence test regulations. [32974]

Mr. Roger Evans: No.

Mr. Madden: If the test was introduced to stop so-called benefit tourists from the European Union from obtaining benefits fraudulently here, how does the Minister explain that 93 per cent. of those interviewed are British citizens and that of the 7 per cent. of British citizens who failed the test most have been working and paying taxes in Britain for years? In view of this, does the Minister accept the verdict of many who are striving to cope with this test that it is expensive, unworkable, unfair and should be scrapped?

Mr. Evans: If one followed the logic of the hon. Gentleman's question, it would be a simple case of abolition. There is no satisfactory way of preventing benefit tourism under the European treaties—which allow no discrimination on nationality grounds—other than the habitual residence test. That is embedded in directive 1408/71, which is one of the earliest pieces of Community legislation.

I must correct the hon. Gentleman's statistics concerning the pass and fail rates of United Kingdom nationals: 91 per cent. pass and 9 per cent. fail. In the European economic area 50 per cent. of nationals pass and 50 per cent. fail. Therefore, the system is the least harsh way of achieving something that is absolutely necessary and in the interests of the British taxpayer. We want to know whether Labour would pledge to abolish the test.

Mr. Bill Walker: Does my hon. Friend agree that one of the lessons of the test is that people should not be foot loose and free at the expense of the British taxpayer? Does that not apply also to new age travellers?

Mr. Evans: My hon. Friend makes two very powerful points with which I respectfully agree.

Benefit Fraud

4. **Mr. Simpson:** To ask the Secretary of State for Social Security what was the last financial year's budget and staffing for the investigation of benefit fraud; and how much was detected or reclaimed directly from such investigations. [32975]

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): In 1995-96, a total of £180 million was invested in benefit fraud investigation and a range of security measures under the security and control programme, involving nearly 5,500 staff.

The total amount saved through Benefits Agency fraud investigation and the security and control programme is in excess of £1 billion.

Mr. Simpson: I am sure that no one in the House supports benefit fraud. Does the Secretary of State accept that it would be helpful if he presided over a Department that fiddles no more from the public than the public fiddles from the Department? As some £3 billion is withheld from the public in underpaid benefits, should not the Department's expenditure on promoting the uptake of legitimately claimed benefits amount to more than one quarter of the sum that it spends reclaiming the estimated £1.5 billion in benefit fraud?

Mr. Heald: It is certainly true that the Department spends about £26 million per year promoting its benefits and making details available through about 80,000 points of information. Ultimately, it is for individuals to decide whether they will accept benefits. The hon. Gentleman says—as Labour Members often do—that the Opposition are determined to fight fraud, but they almost invariably oppose regulations designed to tackle bogus asylum seekers and tough measures designed to tackle fraud.

Mr. Waterson: When does my hon. Friend intend to introduce a new benefit payments card? Will he confirm that, when it is introduced fully, it will save at least £150 million in fraud every year?

Mr. Heald: Yes. My right hon. Friend announced the supplier for the benefit payments card last month, which will come into operation in October this year. It will save approximately £150 million per year and wipe out points of encashment fraud. It is only one of a range of measures that will reduce benefit fraud by 70 per cent. over three years.

Mr. Frank Field: Now that the Government are slowly lumbering up to tackle serious criminal fraud against the benefit system, will the Minister kindly answer the question put to him: when will the Government match their rightful zeal against fraud with a campaign to tell the poorest about their entitlements?

Mr. Heald: We already do that. Far from lumbering up, the Government are limbering up and solving the problem.

Benefits (Young People)

5. **Mr. John Marshall:** To ask the Secretary of State for Social Security what plans he has to alter the assistance available to 16 to 18-year-olds. [32976]

The Minister for Social Security and Disabled People (Mr. Alistair Burt): We have no plans to take child benefit from young people staying on in full-time education to acquire qualifications.

Mr. Marshall: May I thank my hon. Friend for that answer? The removal of child benefit from 16 to 18-year-olds would amount to nothing other than a tax on learning. Does my hon. Friend find it surprising that some people want to give 16 to 18-year-olds the double whammy of a tax on learning and the destruction of jobs through the national minimum wage?

Mr. Burt: My hon. Friend is right. Removing child benefit from families with 16 to 18-year-old children would be highly damaging. It was noticeable in previous exchanges that no Opposition Back Benchers rallied to the cause of their Front Benchers.

Mr. Flynn: Have not the Government viciously cut the incomes of the most vulnerable group of 16 to 18-year-olds, those who emerge from care? Most of our children are expected to adapt to independent lives at the age of about 22, but young people come out of care and are denied income support. It is no wonder that many of them end up as the victims of crime—they are the Fred West generation and the majority of his victims came out of care—or go into crime and prostitution or end up in prison and mental institutions. Is not the greatest single crime of the Government to throw those young people from full-time care into full-time neglect?

Mr. Burt: The hon. Gentleman tries an elaborate smokescreen. It is noticeable that he did not defend the policy that has been adopted by his Front Benchers either. My hon. Friend the Under-Secretary described earlier the success of hardship payments to vulnerable youngsters to protect them. I cannot see how the abolition of child benefit payments to 16 to 18-year-olds, which is the policy being discussed, can help in any way the group of youngsters that the hon. Gentleman mentioned. Our policies offer an opportunity for training and for education, which is why we have one of the lowest youth unemployment rates in Europe. By contrast, the Opposition's policies, which would involve the abolition of child benefit and youth training and the introduction of a minimum wage that would deny young people opportunities, are a mess and a blunder caused by rows between the hon. Member for Islington, South and Finsbury (Mr. Smith) and the shadow Chancellor.

Operation Spotlight

6. **Mr. David Evans:** To ask the Secretary of State for Social Security if he will make a statement on the results of Operation Spotlight. [32977]

Mr. Heald: The Spotlight on Benefit Cheats campaign, which began in April this year, has been very successful. The spotlight has shone on 11 separate areas of the country, and seven of those have now completed their operational phase.

So far an estimated £16.5 million of benefit fraud has been stopped, and the amount increases daily.

Mr. Evans: Does the Minister agree that that is the tip of a large iceberg? Millions, if not billions, of pounds are being claimed by illegal immigrants and those who work in the black economy, often referred to as the long-term unemployed. Will the Minister be very strong with the judges and tell them that we, as elected representatives, will choose to spend taxpayers' money as we think fit? If that lot over there ever get in power with their tax plans and their spending plans, it will not be long before we all need a Giro-green cheque every week, just to survive.

Mr. Heald: My hon. Friend makes his point in his own way and I agree with much of what he said. The Spotlight on Benefit Cheats campaign is saving money and cracking down on the problem. Labour keep inventing totals for benefit fraud and silly ideas such as benefits investigators having to conduct their house-to-house interviews every eight minutes, instead of every 77 minutes under us. Labour talks: the Government act.

Ms Eagle: Can the Minister explain why the system is in such an appalling mess after 17 years of Tory rule?

Mr. Heald: The hon. Lady talks as though the Labour party has come forward with idea after idea about how to crack down on benefit fraud. That is far from the truth. We have heard no ideas and nothing but complaints while the Government get on and solve the problem.

Mr. Patrick Thompson: I have had many complaints from constituents about fraud or alleged fraud. Will my hon. Friend confirm that he visited the constituency of my hon. Friend the Member for Great Yarmouth (Mr. Carttiss) the other day to open a campaign on fraud that will cover my constituency? Can he confirm that that campaign will involve conscientious checks and will be effective? I hope that he can.

Mr. Heald: I was in Great Yarmouth last week to announce the Spotlight on Benefit Cheats campaign, which commences active operation on 1 July. That

campaign has a proven track record. It involves visiting, careful checks, the use of the largest data-matching computer in Europe to check individuals' circumstances, and free hotlines for individuals to give us confidential information about fraud—and it works. In Haringey and Enfield, the first area that we tackled, the full year's savings to 1996 were £5.6 million, yet in four weeks we were able to save £4.1 million.

Jobseeker's Allowance

7. **Mr. O'Hara:** To ask the Secretary of State for Social Security what representations he has received about problems in the introduction of the jobseeker's allowance. [32978]

Mr. Burt: Ministers of both this Department and the Department for Education and Employment have received a small number of representations from hon. Members, all on health and safety issues. In addition, at their request, the departmental trade union sides met my right hon. Friend the Secretary of State to discuss the issue.

We are confident that everything is on course to ensure that the jobseeker's allowance will be introduced on time and in good order.

Mr. O'Hara: Does the Minister accept that this infelicitously described scheme, the jobseeker's allowance, is a cynical deceit upon the unemployed, and undermines the principle of insurance in the way that it short changes those who have paid national insurance contributions in respect of certain guaranteed entitlements? Will he take careful note of the concerns of the front-line members of staff at the Employment Service and the Benefits Agency who have the onerous task of revealing to claimants their diminished entitlement under the scheme? Will he give a commitment to the House that he will keep the scheme under careful review and be big enough to revise it if the worst predictions about its operations are realised?

Mr. Burt: There are two issues. First, we take health and safety matters extremely seriously. As the hon. Gentleman would expect, we give maximum priority to the safety of employees. Risk audits have been done in all offices where jobseeker's allowance will be handled. Any recommendations resulting from such audits to improve the arrangements in the offices will be put into practice. Audits are planned for shortly before and shortly after the introduction of the benefit. A lot of consultation is going on. We believe that open plan is the best way in which to deal with the questions that will be raised about people's need to look for jobs, but that will be kept under constant review.

However, the hon. Gentleman's complaints about the policy would carry rather more weight if, yesterday, the hon. Member for Islington, South and Finsbury (Mr. Smith) had endorsed the remarks of the hon. Member for Makerfield (Mr. McCartney) a few weeks ago, that the Labour party was pledged to get rid of the jobseeker's allowance, rather than, I understand, countermanding that, saying that he was prepared to accept the policy but would keep it under review. Opposition Members cannot have it both ways. The jobseeker's allowance will make a substantial contribution to getting benefits and employment rights for people. Those who have opposed it rigorously should have the courage of their convictions and say that they will repeal it.

Mr. Sykes: The Minister will recall that I served on the Standing Committee which considered the Jobseekers Bill. Does he also remember that we had to leave a suggestion box in the Committee Corridor because Opposition Members refused to tell us what they would do. If the jobseeker's allowance is so bad, why do the Opposition flatly refuse to repeal the legislation?

Mr. Burt: My hon. Friend makes a good point. I am bewildered because I cannot find a good answer. *[Interruption.]* Whenever I am asked to attempt to justify Labour's policy I am always bewildered because no justification is possible.

Mr. Bradley: How, with the introduction of the jobseeker's allowance, does the Minister justify forcing people to take jobs at wage rates below the official poverty level of income support, so forcing them to rely on means-tested benefits at those wage levels?

Mr. Burt: The hon. Gentleman's volume conceals his embarrassment over his policy. He chose not to get involved in the argument about reveal or repeal, but the Government's policy of helping people back into work, which has brought unemployment down and has given us the lowest youth unemployment rate in Europe, is in stark contrast to the work-to-welfare policies revealed yesterday, which were described in *The Independent* today under the title

"Jobless risk destitution getting back to work . . . the radical welfare package unveiled by Labour".

I do not hear anything from the Opposition that might be of any comfort to the unemployed. They would be much safer sticking with us because we know about the matter, we care about it and, above all, we are doing something about it.

Asylum Seekers

8. **Mr. Gerrard:** To ask the Secretary of State for Social Security what steps he has taken to monitor the effects on asylum seekers of the withdrawal of benefits. [32979]

Mr. Lilley: Since the benefit changes were introduced, we have seen a significant reduction in the level of asylum applications. They were down by about 5 per cent. in March, 25 per cent. in April and 50 per cent. in May.

Mr. Gerrard: What has the Secretary of State done to measure the impact of those changes on the people who have lost benefits? Is he aware of the research carried out by the Commission for Racial Equality and the British Refugee Council, which concluded that a great deal of hardship had been caused, and that even if fewer people than anticipated had gone to the relief agencies, the impact had been no less devastating? If the Secretary of State cannot even be bothered to find out what has happened to some of the most vulnerable people who have been affected by the regulations, why is he rushing off to table

emergency amendments to the Asylum and Immigration Bill rather than responding to what the Court of Appeal said about what he should be doing?

Mr. Lilley: The most significant finding by all who have been monitoring the impact of the regulations is that the results have been much less worrying than they all forecast in their lurid claims. The simple fact is that we are removing benefits from only three groups of people. We are returning them from those who entered the country as refugees, but we are removing them only from illegal immigrants, and from people who enter the country not merely without claiming to be refugees but claiming to be something else—business men or tourists—and having the means to support themselves. Finally, we are putting foreigners on exactly the same footing as British people who, having had a claim for benefit refused, make an appeal and do not receive benefit during the period of the appeal.

Mrs. Roe: Am I correct in thinking that my right hon. Friend has received no concrete evidence from organised lobby groups that his regulations have caused widespread hardship to asylum seekers? Does he agree that the real destitution for United Kingdom citizens could well result from the flexible benefits scheme proposed by the Labour party?

Mr. Lilley: My hon. Friend is right on both counts. The sudden silence of members of the Opposition Front Bench may be due to the fact that, to the embarrassment of the bulk of their party, they have proposed a scheme that would enable people claiming unemployment benefit to obtain all their six months' benefit in advance, invest it—perhaps unsuccessfully—and then be left with no benefit, destitute on the streets, for the remaining six months. Yet those Opposition Members propose to restore benefits to asylum seekers precisely because they consider that sort of thing unacceptable.

Ms Lynne: The Secretary of State has said that, if asylum seekers' applications are successful, their benefit will be backdated. How on earth are those genuine asylum seekers supposed to manage between the refusal of benefit and their successful appeal? Most will be destitute.

Mr. Lilley: They will be in precisely the same position as British citizens, and presumably will survive in precisely the same way.

Sir Jim Lester: Will my right hon. Friend continue to monitor the effects of his changes? Asylum seekers do not fit into a handy category of people who are necessarily knowledgeable about our social security benefits. I fear that there will still be people who seek asylum and are not supported as they should be.

Mr. Lilley: I entirely agree with my hon. Friend. I am sure that he will welcome the change that I have made which ensures that refugees who are found to be genuine at the end of the process will be entitled to backdated benefits in the same way as British citizens, and will therefore be able to reimburse friends, relatives and voluntary groups who have supported them during that process.

Mr. Chris Smith: Following today's further and unanimous judgment of the Appeal Court on the provision of housing for penniless asylum seekers, are not two things crystal clear? First, local authorities up and down the land are having to pick up the bill for the Government's refusal of benefits, thus making nonsense of the Secretary of State's proclaimed savings. Secondly, the right hon. Gentleman's removal of benefits has left many genuine, legitimate claimants—many with children—fleeing from persecution without shelter, food, money or the means of life. Will he now think again?

Mr. Lilley: When the hon. Gentleman studies the judgment, he will realise that it refers to the application of existing law by local authorities, not the Government, in the period preceding the changes introduced by my right hon. Friend the Secretary of State for the Environment coming into effect. The House would really like to know why the hon. Gentleman proposes that British people should be allowed to risk the prospect of destitution for six months, yet is so upset about asylum seekers.

Benefits Review

9. **Mrs. Lait:** To ask the Secretary of State for Social Security if he will make a statement on the priority which he attaches to his review of the benefit system. [32980]

Mr. Lilley: The reform of social security systems is a central problem facing all developed countries. To ensure that our system remains affordable, I have produced a comprehensive package of reforms that are expected to save £5 billion a year in the course of the next Parliament and £15 billion a year thereafter.

Mrs. Lait: I welcome that information, but will my right hon. Friend confirm that his policy is to reform the benefit system and take action, not to hide policies and avoid action—which is the purpose of the Labour party's review?

Mr. Lilley: My hon. Friend makes a good point. Our policy has been to analyse thoroughly, act decisively and achieve massive savings and improvements. The Opposition reviews—but, like many reviewers, they cannot act.

Mr. Corbett: Will the Secretary of State confirm that part of his review is a proposal to close the Benefits Agency freeline service, which is used by more than 3 million people a year? Is it also the right hon. Gentleman's purpose to end the out-of-hours service for people whose girocheques go missing or whose books are stolen?

Mr. Lilley: We have announced changes to localised access to information. Rather than refer people to a national freeline, which almost invariably resulted in referring callers to their local office—so causing duplication and a waste of time and effort—we believe that callers can obtain more information more quickly by making a local call.

Dr. Goodson-Wickes: When I was canvassing in my constituency on Saturday—[HON. MEMBERS: "Oh."] We are always putting over the message. One woman told me that she was fed up with the Tories. When I asked why, she said, "Because I work for the Department of Social Security." I thought that the rest of the conversation would be rather predictable, but the lady told me that she had just been recruited from the private sector and was horrified at the level of fraud and maladministration in the local DSS office. Will my right hon. Friend take that not as criticism but as encouragement for all that the Government are doing to direct benefits away from fraudsters and towards the people who need them?

Mr. Lilley: I shall certainly take my hon. Friend's question in the sense that he advised. I am sure that his constituent is aware that Labour has always been the friend of the fraudster and soft on fraud. As Labour has demonstrated this week, that party is particularly keen to allow bogus asylum seekers to keep receiving benefits—just as Labour has long allowed British citizens to enjoy benefits fraudulently and would like that to continue.

Widows' Benefits

10. **Mr. Barnes:** To ask the Secretary of State for Social Security if he will introduce measures to allow women to qualify for widows' benefits when they have not been married to their late partners but could qualify as having been married by cohabitation. [32981]

Mr. Heald: No. There is no reason why those who choose not to marry should be entitled to married persons' benefits.

Mr. Barnes: When unmarried couples live together, their joint earnings are taken into account in assessing their benefits, such as income support. Why cannot women qualify for the widows' benefit when their partners die? That arrangement operates in Scotland, so why cannot it work here? Are we to have Victorian values in that regard?

Mr. Heald: Social security legislation involving the right to contributory benefit derived from another person's contributions is based on the concept of a legal marriage, which is something that the Government believe upholds family values. The existing provisions, which make contributory benefits available to a surviving spouse but not to the survivor of an unmarried partner are long standing, and the Government do not believe that a case has been made for changing them.

Mr. Nicholas Winterton: Does my hon. Friend believe that we should support the institution of marriage, appreciate the seriousness of marriage and appreciate the commitment of both parties to a proper marriage? Therefore, it would be wrong for us to give in to the suggestion made by the hon. Member for North-East Derbyshire (Mr. Barnes); surely, if one is prepared to commit oneself to marriage and the responsibilities that go with it, one should be entitled to get something from it when one becomes a widow or widower.

Mr. Heald: Conservative Members believe that the institution of marriage is vital to our society. The legislation reflects that.

Mr. Denham: Does the Minister recognise that there is wide concern about equal treatment of cohabiting couples in pension schemes? Will the Minister confirm, for example, that serving firefighters and police officers who lose their lives in the course of their duties may leave dependent partners and children without any pension benefits? Will the Minister recognise that there is real concern about that? What plans does he have to study the problems involved and to introduce proposals to ensure that equal treatment is made available to more people within pension schemes?

Mr. Heald: There is a difference between a lifelong commitment and another sort of commitment. There is no legal obstacle in occupational pension schemes to the payment of survivors' pensions to unmarried partners who are financially dependent. The Government always keep these matters under review.

Asylum Seekers

11. **Mr. Purchase:** To ask the Secretary of State for Social Security what is his estimate of the number of children under 16 years old living in families seeking asylum who will not qualify for child benefit under the new regulations this year. [32982]

The Parliamentary Under-Secretary of State for Social Security (Mr. Andrew Mitchell): Our changes propose that those people whose entry to the United Kingdom is on condition that they will have no recourse to public funds should not be entitled to child benefit. Original estimates suggested that about 12,000 families containing 20,000 children could be disentitled. However, the number of asylum applications was down by 5 per cent in March, about 25 per cent. in April and nearly 50 per cent. in May, so the actual number affected is likely to be lower.

Mr. Purchase: Is the Minister aware that many hon. Members on both sides of the House have been involved with refugee families and seen the tremendous strain and financial problems that those families encounter in those circumstances? After his humiliation in the courts last Friday, is it now public policy for the Minister and his party to visit the misfortunes of mums and dads on their innocent children?

Mr. Mitchell: The hon. Gentleman should have a word with his Front Benchers. The Labour party wants to give child benefit to the families of bogus asylum seekers while taking it away from the families of hard-working 16, 17 and 18-year-olds in Britain. What sort of political party advocates ladling out taxpayers' money to those fraudulently seeking asylum while, at the same time, wanting to take it away from the families of British citizens with children at school working on their A-levels? The Government are opposed to giving away taxpayers' money to bogus asylum seekers.

Mr. Marlow: Who will pay the housing benefit for those bogus asylum seekers who are so generously allocated council housing by the politically naive judiciary ahead of those who have been on the waiting list for many months?

Mr. Mitchell: My hon. Friend is right to make that point. Last year, 95 per cent. of asylum claims were bogus. My hon. Friend is entirely right to say that, while certain categories of people are fully eligible for benefits, it is wrong that those who seek to enter this country bogusly should receive them.

Funeral Payments

12. **Mr. Hutton:** To ask the Secretary of State for Social Security what changes have been made since 1993 to the social security funeral payments scheme; and what is his assessment of the effect of these changes. [32983]

Mr. Roger Evans: Changes have been made to stop abuse of the system. People with a genuine reason for taking responsibility for a funeral get help. A £500 limit was placed on specified funeral directors' charges. Those changes have successfully reduced previously escalating expenditure.

Mr. Hutton: Is it not becoming increasingly clear that the funeral payments system frequently fails to cover even the cost of the most basic funeral service, causing additional stress to the families of the recently bereaved? In the light of the evidence, what plans do the Government have to review the operation of the funeral payments system?

Mr. Evans: The scheme is kept under review. I have caused inquiries to be made. There are four funeral directors in the hon. Gentleman's constituency, three of which will provide social fund funerals within the present scheme. The fourth is more expensive—but the fourth is the Co-op.

Mr. Bernard Jenkin: Does my hon. Friend agree that it would be rather illogical to accept the premise that social security expenditure is too high and then to complain about every change that the Government make to bring social security expenditure under control? Is that not exactly what the Labour party continually does?

Mr. Evans: My hon. Friend is right on both points. Each year, the social fund pays for 10 per cent. of all funerals in Great Britain.

PRIME MINISTER

Engagements

Q1. **Mr. Hendry:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June. [33002]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Hendry: Putting to one side the comments in some newspapers, will my right hon. Friend join me in congratulating the England football team on their magnificent successes so far in Euro 96—showing, in the words of the song, that "football's coming home"? Will he join me and the rest of the country in wishing them every success and the best of luck in the semi-finals tomorrow night?

The Prime Minister: Willingly. Euro 96 has been a stunning success so far, and I congratulate the teams on the spirit they have displayed in the games and everyone who has attended those games. I hope that that spirit remains right the way through the rest of this competition. It has been a friendly and carnival-like atmosphere so far, and I hope that nothing changes that between now and the final in a few days' time.

Mr. Blair: That is a consensus in which I am delighted to join, and I entirely concur with the Prime Minister's sentiments.

Given the strength of feeling about the proposed sale of Ministry of Defence properties, not only among Opposition Members but among all hon. Members, is the Prime Minister prepared to review that proposal urgently, particulary in the case of tenants who are in place now?

The Prime Minister: I think that the right hon. Gentleman knows that we value the role of the armed forces as much as anyone in the land, and probably more than most. There is a great deal of misunderstanding about what is proposed with the married quarters sale. We intend to ensure that the protection of married quarters is safeguarded while at the same time improving the quality and management of service housing. In practice, the sale will produce about £100 million for improvements and refurbishment in service families' homes. I think that, when the matter is fully understood and debated, many may see it in a different light.

Mr. Blair: I think that people do see it in a different light, because they wonder whether that is, in fact, what will happen. May I simply tell the Prime Minister that the concerns are that this is a poor deal for the taxpayer, because these properties have been sold on the cheap and there is a guaranteed income stream for the property developer after sale? It is a poor deal for the armed forces, because they will have to apply for those houses to come back to them after the 25 years is up. It is also a very poor deal for service men and women, because their estates may be broken up and changed without their consent, and they may be required to exchange housing sites altogether at the property developer's option. In those circumstances, is it wise to press ahead until those objections have been reviewed thoroughly?

The Prime Minister: When the right hon. Gentleman sets out the matter, I begin to see some of the misunderstandings that have caused so much concern. To reiterate on his first point, the sale will release substantial sums for improving and refurbishing service families' homes. Secondly, those improvements aside, there will be little change for the occupants. The sale will emphatically not mean that service people's rents will rise; I make that clear to the right hon. Gentleman. It will not mean, as he clearly assumes, problem families being dumped on Ministry of Defence estates. It will not mean service personnel being moved against their will. However, it will allow the Ministry of Defence to reduce the number of

empty, unused and unneeded homes. Not to do that would not be a proper use of resources, as I am sure the right hon. Gentleman agrees.

Mr. Blair: Without going through each of the facts, I simply say to the Prime Minister that there is no dispute about the fact that surplus sites that are empty should be sold off. Questions arise where there are sitting service tenants. Yes, it is the case that a small amount of the sale money will find its way to the Ministry of Defence, but large amounts will be paid out by the taxpayer in guaranteed market rents to the new owners. It is not the case that this is a good deal for the taxpayer.

The reason why the sale has been pushed through with such indecent haste has nothing to do with the armed forces; it has to do with the Chancellor's need to plug the hole in the nation's finances. The sale will undermine morale among service men and women and it could, as many independent people have pointed out, do incalculable long-term damage to the armed forces.

The Prime Minister: The right hon. Gentleman is wrong about that. The sale is not a matter that has suddenly arisen. It has been under consideration for a number of years in order to determine how it can be done to release resources, not least resources available to the Exchequer to enable equipment to be purchased for the armed services. The right hon. Gentleman knows of the substantial additional equipment purchases that have been sanctioned in the past year or so. I reiterate that we will ensure that the married quarters are safeguarded, but we also seek to improve the quality and the management of service housing. When people understand the full implications of what is proposed, they will not see the matter as the right hon. Gentleman has done this afternoon.

Q2. **Mr. David Evans:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June. [33003]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Evans: Will my right hon. Friend remind me and all those people under 35 years of age whether it was a Conservative Government who let inflation rip to 26.9 per cent? [HON. MEMBERS: "No."] Was it a Conservative Government who allowed the higher rate of tax to go to 98p in the pound? [HON. MEMBERS: "No."] Was it a Conservative Government who did not pay the senior citizens' Christmas bonus? [HON. MEMBERS: "No."] Was it a Conservative Government who had 176 Members of Parliament totally sponsored by the unions? [HON. MEMBERS: "No."] Or—*[Interruption.]*

Madam Speaker: Order. No wonder I get so many complaints in my mail bag every day about Prime Minister's Question Time. Will the hon. Gentleman please bring his question to a conclusion?

Mr. Evans: Or was it that lot opposite? [HON. MEMBERS: "Yes."]

The Prime Minister: The answer to my hon. Friend, as I heard it, was no, no, no, no and yes.

Mr. Ashdown: It is not my job to defend another party. However, the Prime Minister has rightly committed himself and the rest of us to defending standards in politics. Will he now tell us whether he personally approves of the unpleasant campaign being run by his party chairman to attack the Labour party through the Labour leader's wife?

The Prime Minister *indicated dissent.*

Mr. Ashdown: I note that he disapproves. Does the right hon. Gentleman really want an election campaign run around personality attacks which extend even to our families? Does he approve of that?

The Prime Minister: There is no such campaign, nor will there be. The right hon. Gentleman will know that I speak from some experience. There will be no such campaign in my party, there is no such campaign and the right hon. Gentleman should know that.

Mr. William Powell: Has my right hon. Friend had time today to study the report prepared on behalf of the Federation of Veterinaries of Europe by Professor Marc Vandervelde of the university of Berne in which he demonstrates beyond any doubt that there are thousands of unreported cases of bovine spongiform encephalopathy throughout the European Community and that the worst examples are found in the Netherlands, Belgium, Luxembourg, France and Portugal? Will my right hon. Friend ensure that the report is made available to hon. Members and to members of other Parliaments throughout the European Union?

The Prime Minister: I shall certainly study the report to which my hon. Friend refers and see that it has appropriate circulation. It is clear that, for some years, the enforcement measures in the United Kingdom have been a good deal more rigorous than those in many other countries, although there is certainly BSE elsewhere. As the European Union vets seem to be saying, it is clear that, without the level of control that we rightly have in the United Kingdom, doubts may remain about the safety of beef. I shall certainly study the report to which my hon. Friend refers.

Libya

Q3. **Mr. Dalyell:** To ask the Prime Minister on what occasions since the statement by the then Prime Minister on the bombing of Libya on 16 April 1986, *Official Report*, columns 875-81, Her Majesty's Government have tried to secure information from (a) the German and (b) the United States authorities about the alleged Libyan involvement in the Berlin bombings. [33004]

The Prime Minister: We naturally remain in close contact with both the United States and German authorities on terrorist related matters, but the evidence of Libyan responsibility for the bombing of the discotheque in Berlin was already clear at the time of my right hon. and noble Friend's statements on 15 and 16 April 1986, as she herself stated.

Mr. Dalyell: Have the Government had access to the files of the Stasi in relation to Yousef-Salam, who may have been a provocative agent?

The Prime Minister: We remain in regular contact. The Stasi files found after the fall of the Berlin wall reveal that a Stasi agent had penetrated the group responsible for the bombing and detailed reports on preparations. The Stasi believe that the man to whom the hon. Gentleman referred, who also has other aliases, led the terrorists. That man is a Palestinian, not a Libyan, but at the time of the bombing he worked for the Libyan People's Bureau in East Berlin, and he is and remains the principal suspect.

Sir Teddy Taylor: Although it is good news that the issues of the Berlin bombing will now at last be resolved in court, do we not also have a responsibility to the relatives of the Lockerbie victims to seek to resolve that problem in a similar way, particularly as the Libyans have now suggested a trial in The Hague with a Scottish judge? Will my right hon. Friend bear it in mind that, while the Government are playing straight and open in all their dealings, a number of European states are openly flouting the sanctions to which we are adhering?

The Prime Minister: I understand my hon. Friend's point about a trial in The Hague with a Scottish judge, but on the basis of the evidence given to me, I believe that it is right for the Lord Advocate to continue to pursue the matter in Scottish jurisdiction. I would not wish to see it moved away from Scottish jurisdiction as a result of plea bargaining by the Libyans or for any other reason. The crime was committed in Scottish air, so it is right that the matter should be pursued in Scotland. There can be no reasonable doubt about the independence of the judiciary in Scotland or about the independence, honesty or honour of the Lord Advocate, who would lead the prosecution.

Mr. Dalyell: On a point of order, Madam Speaker. In view of the unsatisfactory nature of the Prime Minister's reply, I intend to raise the matter on the Adjournment.

Engagements

Q4. **Mr. McFall:** To ask the Prime Minister if he will list his official engagements for Tuesday 25 June. [33005]

The Prime Minister: I refer the hon. Gentleman to the answer I gave some moments ago.

Mr. McFall: Perhaps I do not speak for the entire nation, but will the Prime Minister accept from me as a Scotsman my best wishes for the success of the England football team tomorrow night at Wembley? Does he agree that the competition has been enhanced by the thousands of European visitors who have flocked into the United Kingdom? Will he condemn unreservedly some elements of the tabloid press that are promoting xenophobia and running a real risk of spoiling the enjoyment of millions of people as well as threatening the good order and the policing of a valuable tournament?

The Prime Minister: Everyone will be grateful for the hon. Gentleman's best wishes to the England team. I hope that they play well and have a satisfactory result in their semi-final tomorrow. Visitors from Europe and some who come from beyond are very welcome indeed in this country for these finals. I share the views of the hon. Gentleman, who clearly had one particular newspaper in mind for the nature of the campaign that it has run over recent days. It deserves the criticism that has been heaped on it.

Sir Ivan Lawrence: Does my right hon. Friend agree that it is absurd that the British taxpayer should have to pay hundreds of millions of pounds to illegal immigrants and the 97 per cent. of asylum seekers who turn out to be bogus? Does he also agree that it is a great pity that some members of the judiciary go out of their way to show how out of touch they are with the British people's feelings? They could quite easily remedy the situation by not making political statements and by doing something to contain the burgeoning power of judicial review.

The Prime Minister: In the benefits case to which my hon. and learned Friend referred, the courts ruled on a rather narrow point. It is widely accepted that our policy is right. It removes benefits from three groups of people: illegal immigrants, people who entered the country on the condition that they said they could support themselves and people who have already been found not to be genuine refugees. I believe that the vast majority of people agree that those three groups should not receive benefits at the expense of the British taxpayer.

Schools (Self-government)

3.30 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard) *rose—[Interruption.]*

Madam Speaker: Order. Let us have a little order on the Front Benches. Hon. Members should either come into the Chamber and sit down or go elsewhere. The Minister is on her feet.

Mrs. Shephard: With permission, Madam Speaker, I should like to make a statement on the White Paper that the Government are publishing today on extending self-government for schools. Copies are available in the Vote Office and in the Libraries of both Houses.

The Government's education reforms have one central aim: to raise standards in schools. To achieve that, we have put in place a framework based on four elements. The first is the national curriculum, which is linked to regular testing at ages seven, 11 and 14 and regular inspection of schools, so that there is a common understanding of what children should be learning and what standards they can be expected to achieve.

The second is greater accountability and transparency through the publication of secondary school performance tables and school inspection reports, information for parents, and, from next spring, the publication of primary school tables, so that parents, governors and the wider community know how the system is performing.

The third element is more choice for parents and more diversity among schools. Church schools, grammar schools and others have long provided choice for some parents, but we wanted more parents to be able to choose the education that will best suit their children from a range of good schools. Thus, we introduced the assisted places scheme, set up the 15 city technology colleges, helped 180 schools develop their strengths in particular subjects, and have given all schools the chance to become grant maintained.

The fourth element is more freedom and independence for schools to run their own affairs within the framework of accountability and parental choice. So, local authority schools control a high proportion of their budgets, all schools have governing bodies representing parents and the local community, and grant-maintained schools have greater freedom to manage their budgets, staffing, premises and future development. Standards, accountability, choice for parents, freedom for schools—a great deal has been achieved. We have a clear and comprehensive framework for raising performance across the board. Now we need to take the next step.

Schools have gained experience and skill in handling their own affairs. They have shown that they can use that freedom well. Today's White Paper sets out a range of new measures to build on the framework that we have put in place, particularly to give schools more freedom and parents more choice.

We propose action in four areas: first, to give local authority schools more control of their budgets; secondly, to give grant-maintained schools more freedom in developing the education that they provide; thirdly, to define more clearly the role of LEAs in supporting schools; fourthly, to encourage more choice and diversity, including through more selection of pupils.

First, local authority schools will be given more freedom to decide how to spend their budgets. Delegation of school budgets and local management of schools have been great successes, and LMS helps schools to get better value for money and to match resources to their own priorities. We propose to bring more spending items within the global budget that LEAs use to set individual budgets for schools, and we intend to increase from 85 per cent. to 95 per cent. the proportion of that global budget that LEAs must delegate to schools.

Those steps will increase by some £1.3 billion the resources that LEAs are required to pass on to schools. As many LEAs already delegate more than the 85 per cent. minimum requirement, some £600 million—or some £90 per pupil—will be provided in addition to what schools currently receive in their budgets.

Secondly, the White Paper proposes more freedoms for grant-maintained schools. Despite the Opposition's continuing hostility to giving schools the right to govern themselves, there are now more than 1,100 GM schools, and they include many of the best in the country. The Government intend that GM status should continue to offer the fullest independence possible, and we want to give GM schools more power to change what they do in response to local needs without seeking central approval. They would be free to increase their numbers by up to 50 per cent. and to open new nursery classes and sixth forms. We also want to give GM schools the choice of taking on new functions currently undertaken by LEAs, such as running their own pupil transport.

Thirdly, the White Paper sets out a clearer, tighter definition of the functions of local education authorities. LEAs would continue to have a role in providing services that schools cannot carry out for themselves—including, for example, drawing up statements for children with special educational needs. But it is not for LEAs to control what schools do, and each school should decide for itself how to operate. That includes deciding what support services it wants to buy, from the LEA or elsewhere. Hand in hand with that freedom goes an obligation on each school to account for its own performance. Responsibility for its standards rests with the school, not with the LEA.

LEAs do have a role in supporting schools in their efforts to raise standards, including working with schools in setting targets for improvement and intervening where Ofsted has found that schools are failing to provide an adequate education. LEAs in their turn must carry out these functions effectively. The record of LEAs has, to say the least, been mixed, and the Government will be looking to develop better mechanisms for assessing the effectiveness of LEAs to ensure that what they do, they do well.

Fourthly, the White Paper proposes more choice for parents through a range of new measures to extend diversity. My right hon. Friend the Prime Minister and I have frequently made it clear that the Government want to see a spectrum of schools to match the varied talents, needs and interests of our children, and that includes grammar schools. Grammar schools have a proud tradition of academic excellence. We want more parents and pupils to have those opportunities where there is a demand for them in the local community—opportunities enjoyed by some Opposition Members.

We will welcome proposals for new grammar schools. Where an existing LEA school wants to become a grammar school, we intend to give the governing body a right of appeal if the LEA tries to block reasonable proposals. We intend to give the Funding Agency for Schools powers to propose setting up GM schools—including GM grammar schools—in all areas of the country where there is a need for a new school.

Encouraging grammar schools gives parents greater choice, but our plans for increasing diversity go further. We do not want only two types of schools: grammars and secondary moderns. That agenda is out of date—*[Interruption.]* The debate has moved on. Selection, too, is not just about the 11-plus. One can select in a range of ways, including by aptitude for a subject.

Selection is about getting a better match between what schools offer and what parents want for their children. We want to encourage all schools to develop distinctive strengths and identities. There are many excellent comprehensives that serve their communities well, but we need diversity and choice. The White Paper would encourage those by a variety of measures.

First, we want to give grant-maintained schools the right to select up to 50 per cent. of their pupils by ability or aptitude without needing central approval. Secondly, we want to give technology and language colleges the right to select up to 30 per cent. of their pupils by ability or aptitude in their specialist subjects. *[Interruption.]*

Thirdly, we want to give those responsible for admissions at all other LEA schools the right to select up to 20 per cent. of their pupils. Fourthly, we plan to reinforce the specialist schools programme by giving more support for technology and language colleges and by extending the approach to include schools specialising in sports and the arts. Fifthly, we want all schools to consider each year, in consultation with parents, whether by using their new powers to select some of their pupils they could contribute more to the diversity of schooling available to local parents. *[Interruption.]*

Much progress has been made over the past few years. The Government have now put in place, despite resistance—which we are hearing repeated today—every step of the way from Opposition Members, an effective framework for raising standards. It is a framework that provides a clear specification of what schools and pupils should be achieving, holds schools accountable for what they do, gives schools freedom to decide how to run their affairs, and gives parents more choice.

Much more remains to be done. Our social and economic future depends on making sure that all our children are helped to achieve to the limits of their ability. Today's White Paper sets out important new measures for making further progress in giving freedom to schools and choice to parents. *[Interruption.]*

Madam Speaker: Order.

Mrs. Shephard: It will help to get the best possible match between what schools offer and what parents want, which is a good education suited to the individual abilities, interests and needs of their children. I commend it to the House.

Mr. David Blunkett (Sheffield, Brightside): I thank the Secretary of State for her courtesy in letting me have the White Paper in time to be able to Braille it.

The White Paper is the last gasp of a Government who have run out of ideas. Britain needs a Government committed to raising standards for all our people, not promoting selection for a few at the expense of the many. What relevance do these proposals have for Britain in the 21st century? Does the Secretary of State accept that selection was designed for an era in which only a few had the opportunity of moving into higher education, when, with a different economy and labour market, only the elite had the opportunity to succeed? As the future holds a high-tech information age, is it not time to put dogma behind us and give every child in every school the opportunity to succeed?

Will the Secretary of State confirm that a grammar school in every town would exclude 19 out of every 20 children from the opportunity for high-standard education and excellence, and that, using her criteria, there is no demand, no need and no money for the policy of bringing back selection?

Will the right hon. Lady confirm that, last night, she intervened to stop the Funding Agency for Schools confirming to the world that there is no demand and no need, and that there are no resources available for the new policy announced this afternoon; that only 41 schools have taken up the option of selection of 10 per cent. of their pupils; and that 35 of those 41 have selected on drama and music? Does she accept that there is no demand for a change of this sort, and she knows it?

Is the proposal now for a grammar school in every town, or for a grammar stream in every school? If the latter, is this a conversion to banding for admissions, which was pioneered by the former Inner London education authority and is still practised by some London Labour boroughs? What has changed the right hon. Lady's mind since she campaigned vigorously in the early 1980s—not the 1970s—as a Norfolk county councillor against grammar schools and in favour of comprehensive education? What has changed her mind since last year, when she said that structure was "an irrelevance" in the campaign for standards?

Did the Secretary of State believe—as we do—in the early 1980s and as late as last September that diversity and specialisation can and do exist within each comprehensive school, and that the best schools stretch those who can achieve and support those who need help? Will she confirm to the House that Baroness Thatcher was the Secretary of State for Education who closed most grammar schools; and that, in the past 25 years, the Conservatives have removed selection from more schools than the Labour party?

Will the Secretary of State confirm to the House that the time scale laid out in the White Paper presumes that she will not be able to legislate before the general election, and that therefore the proposals will not be introduced before 1999 at the earliest; that the White Paper is a sham designed to satisfy the No. 10 policy unit and the Prime Minister, whom I welcome here this afternoon, rather than to meet the needs of the British people?

Will the Secretary of State further confirm that the White Paper ends the choice of parents rather than enhances it; that, when schools choose pupils rather than parents exercising preference for schools, choice is denied and diversity undermined? Will she confirm that talk of increased choice is frankly a sham? Will she reject the

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notion of denying people entry to the school of their choice purely on the basis of their attainment level at the age of 11, triggered and enhanced by the quality of their primary school?

Will the Secretary of State confirm that the White Paper will necessitate a change in the operation of the national curriculum, as primary schools that have to cram children to pass an 11-plus examination or to go through some other form of selection would inevitably have to be separated from those who teach the normal curriculum? Surely the Secretary of State will accept that the policy has nothing to do with increasing excellence and standards for all, and everything to do with a short-term political agenda.

If the Secretary of State is concerned about the role of education authorities and the cost of administration, will she accept this afternoon our proposals to set benchmark targets for the administrative costs of local education authorities, and cap them at £50 per pupil, so that we can expose boroughs such as Wandsworth, Westminster, Kensington and Chelsea, and the county of Buckinghamshire? The first three spend well over twice as much as £50 per pupil on administration, and Buckinghamshire is the highest spending county council in Britain in terms of administrative costs.

Will the Secretary of State acknowledge that, in her proposals today, she is simply moving after the Labour party on the issue of delegation? Will she confirm—the Prime Minister will remember it well, because it was an historic date—that, exactly one year ago today, we proposed to extend delegation to schools under local management of schools, and that a year before that, the Secretary of State rejected it?

Finally, does the right hon. Lady accept that these attempts to develop and create clear blue water for party political purposes are irrelevant to the needs of children and to the aspirations of parents in this country? The tide has gone out for the Conservative Government. This is not clear blue water but sand, on which these proposals would be built if they were ever to come to fruition. We will be elected, and we are committed against them. We will ensure that the country is not returned to a failed past, but that it goes forward in relation to achievement and standards for all in the future.

Mrs. Shephard: With those irrelevant gasps, the hon. Member for Sheffield, Brightside (Mr. Blunkett) has again demonstrated his party's hostility to choice for parents, to independence for schools and to more diversity in what schools provide. The hon. Gentleman should understand, as parents do, that structure is not irrelevant if we are concerned about raising standards in our schools. In addition, diversity and choice contribute to the raising of standards.

The hon. Gentleman should also understand—from the hon. Member for Peckham (Ms Harman), if from no one else—that selective schools are popular. He should ask any parent who is trying to get his or her child into an over-subscribed grammar school or into an over-subscribed specialist college whether selection is possible. He does not have to go far to ask that question—the hon. Member for Liverpool, Walton (Mr. Kilfoyle), who is sitting on the hon. Gentleman's right, could tell him a thing or two about that.

The hon. Gentleman asked whether we propose to have a grammar school in every town or to have a grammar stream in every school. The answer—as he will find from the White Paper, when he has had time to absorb it—is that we do not seek to impose a uniform pattern of education on the school system in this country. It has taken 16 years for the country to recover from that, in the wake of the heritage left by the Labour party.

As Norfolk county council's plans have been mentioned, I shall clarify the situation. The council's plans to go comprehensive were formed under Labour legislation and adopted in 1975—before I was a member of the council. The council, when it was Conservative-controlled, subsequently confirmed those plans four years down the track, in 1979, and I supported that.

The hon. Gentleman, in harping back 20 years, helpfully reminds the House and the nation that that is where the Labour party's policies are stuck. He would seek to return the education system of this country to the 1970s. He talked about benchmark targets and reducing bureaucracy in schools. I ask him to start in his own backyard. In Sheffield, the council is being slammed by heads for diverting £17 million, which should more properly have been used in schools.

The hon. Gentleman has no contribution to make: his views are stuck in the 1970s, the decade to which he and his party would wish to return the education system of this country. He has made a pathetic contribution this afternoon. We will not allow the Labour party to reduce the diversity and choice that we have introduced to one monolithic system.

Mr. Kenneth Baker (Mole Valley): Will my right hon. Friend disregard any criticism from the Labour Front Bench? Over the past 10 years, every education reform that has been introduced by the Government has been rubbished by the Labour party, but has been eventually accepted, and in some cases embraced with enthusiasm, from the top of the Labour party down.

Does my right hon. Friend accept that parents up and down the country will welcome the choice and diversity that she is extending, particularly in technology colleges, where pupils will be sensibly tested by ability and aptitude? The range of those colleges will be extended to sports colleges and to performing arts and media colleges. My right hon. Friend's package clearly shows that the Conservative party still has the best policies for education.

Several hon. Members *rose—*

Madam Speaker: Order. Before the Secretary of State responds, I must say that, if all questions are as long as that one, I shall be able to call only six hon. Members from either side. Therefore, I ask for brisk questions and answers.

Mrs. Shephard: My right hon. Friend is absolutely right: the effects of our education reforms are being embraced enthusiastically by some Labour Front-Bench Members. He is also correct to refer to the popularity of our initiative for specialist schools and colleges. That is why we propose to increase the number of those colleges and their scope to introduce sports and arts.

Mr. Don Foster (Bath): Given the Secretary of State's frequent references to parental choice and her failure to

answer the question put by the hon. Member for Sheffield, Brightside (Mr. Blunkett), will she confirm that, under increased selection, it is the schools that select the pupils and not the parents who choose the schools for their children? Will she confirm also that, according to all opinion polls, parents choose not selection but increased books and equipment for schools, better maintained school buildings, more nursery education and increased discipline? Does she accept that policies designed simply to embarrass political opponents are policies of real desperation?

Mrs. Shephard: The hon. Gentleman has been reading too many newspapers. I made it clear this afternoon and on a number of other occasions that we want to see a spectrum of schools. Schools must have the chance to develop their strengths in a variety of ways. We do not want to return to a two-tier system, and the proposals I have announced will not produce that result.

As for there being no demand for selection, the hon. Gentleman should tell that to the many parents who want their children to attend grammar schools and specialist colleges, but cannot find places.

Sir Malcolm Thornton (Crosby): Does my right hon. Friend agree that standards will neither rise nor fall overnight? Does she also agree that an underpinning principle of selection is gearing education to the needs of individual pupils? In looking at the increased delegation of a scheme that has found widespread favour with schools, I ask her to take the time to examine also the vagaries of some of the local formulae which seriously disadvantage schools and act unfairly within local education authorities.

Mrs. Shephard: My hon. Friend is absolutely right: standards are all-important, and increased choice and diversity undoubtedly contribute to higher standards. When he has had an opportunity to consider the White Paper, he will see that we have proposals for changing the framework for calculating formulae, so that it is fair to all schools.

Mr. Mike Hall (Warrington, South): Does the Secretary of State agree that her announcement this afternoon about a return to selective grammar schools in every town and the reintroduction of the discredited 11-plus will be rejected by the vast majority of parents, teachers and everyone else who is interested in raising standards in our schools? Does she agree also that it is nonsense to try to determine at the age of 11 the employment prospects of any pupils? This afternoon we have witnessed an inept political move that is divisive for education and morally wrong.

Mrs. Shephard: I do not agree with the hon. Gentleman. He has not been listening, and I advise him to read the White Paper.

Sir Timothy Sainsbury (Hove): Does my right hon. Friend agree that expanded choice and diversity, which the Government have consistently encouraged and which the Opposition have consistently opposed, play a vital role in equipping the pupils of today for working in the 21st century? Will she confirm that she hopes to see a rapid increase in the number of places available in technology and language specialist schools and in other specialist schools—not least those concerned with the arts—in the future?

Mrs. Shephard: One of the strengths of the specialist schools and colleges programme is that it allows different establishments to develop the particular abilities of pupils. That is the essence of diversity, and as such, it plays a valuable part in preparing young people for employment.

Mr. Nigel Spearing (Newham, South): Does the Secretary of State agree that high schools in rural counties such as Norfolk and the surrounding rural areas do not belong to the parents of the day, but to the whole community? Is she aware of a statement by a distinguished former chief education officer of Norfolk, Sir Lincoln Ralphs, that parents as a whole are not interested in education as such, but in negotiable erudition? Does not the Secretary of State think that the implications of her White Paper would be to create a market in education and to set pupil against pupil, parent against parent, staff against staff and school against school, just to have an educational market fuelled by the taxpayer?

Mrs. Shephard: I am sure that the hon. Gentleman will allow me to know better about the thoughts and views of the late Sir Lincoln Ralphs, who was indeed a distinguished chief education officer. He was in favour of diversity: he set up, for example, accelerated streams for those who failed the 11-plus. He also introduced special grammar streams in comprehensive schools. I believe that Sir Lincoln Ralphs would have been much in favour of precisely the diversity described in the White Paper.

Dame Angela Rumbold (Mitcham and Morden): Will my right hon. Friend accept my warmest congratulations on the introduction of the White Paper, not only for the necessary proposals on delegated budgets for schools, which are excellent, but more especially because, for the first time, she has suggested that the Government will reverse the tragic act of vandalism that the Labour party committed in 1975 to get rid of grammar schools, which denied the children of those people who live in the poorest areas an opportunity to get out of those areas and get a first-class education?

Mrs. Shephard: I thank my right hon. Friend for her congratulations, and I am glad that she welcomes the new proposals for delegated budgets, which will give schools more freedom to manage their affairs. The proposals will increase the numbers of grammar schools and grammar streams, and the opportunities for streaming by both ability and aptitude, through the specialist college and school programme, which I am sure my right hon. Friend, since she had something to do with their inception, will also welcome.

Ms Hilary Armstrong (North-West Durham): I wonder whether the Secretary of State will accept my congratulations on resisting the more extreme urgings of her right hon. Friend the Prime Minister, who was so failed by the grammar school system. Will she, however, accept that there is a problem with the message that she is trying to give today? If the message is that the only way to get excellent academic prospects is from a

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grammar school, that will fail all those children who need to be challenged and motivated in our secondary school system. What is more, that message will let down the nation, because the nation needs every single child to be so challenged and motivated that they achieve far more than the majority achieve today.

Mrs. Shephard: It is the hon. Lady's party that is in favour of a monolithic education system: the Conservative party is in favour of diverse routes.

Mr. John Redwood (Wokingham): Will my right hon. Friend make more money available for popular schools, so that more parents can send their child to their first choice of school?

Mrs. Shephard: As my right hon. Friend will have noticed, the proposals in the White Paper include one for grant-maintained schools to increase their size by 50 per cent. That will be very useful for those that are popular and over-subscribed.

Mr. D. N. Campbell-Savours (Workington): Now that the Secretary of State has announced her policy of a secondary modern school in every town, can she tell me whether the schools in my constituency, in Keswick, Cockermouth, Workington, Maryport, and throughout the county will now be transformed into secondary modern schools? Will she confirm—what we all know to be the truth—that not one of the 300 Conservative Members of Parliament in this Parliament would ever send their child to a secondary modern school anywhere in the United Kingdom? Why? Because they know that secondary modern schools are not good enough.

Mrs. Shephard: The hon. Gentleman has not been listening either, or perhaps he is not too clued up on education. I seem to recall him thinking that people had to pay for their child to go to a grant-maintained school.

Mr. James Pawsey (Rugby and Kenilworth): Will my right hon. Friend confirm that, unlike Opposition Members, she does not believe that only one type of school is right for all the nation's children? Will she further confirm that the White Paper will allow more grammar schools and grammar streams to emerge, give greater powers to parents, and divert funds from local education authorities to the classroom? Will she accept the congratulations of Conservative Members on a splendid White Paper, which will do much to enhance the quality and standard of state education?

Mrs. Shephard: My hon. Friend encapsulates the whole point of the White Paper. It will give more power to schools and more choice to parents, and will thereby drive up standards.

Mr. David Jamieson (Plymouth, Devonport): Will the Secretary of State assist parents in rural towns, such as Tavistock and Okehampton in my area, which are currently served by one comprehensive school? Can she confirm that, if those schools become grammar schools, most of the local children will no longer be able to go to the local school and may have to travel many miles to find one that will accept them?

Mrs. Shephard: As the White Paper makes clear, that will be a choice for the local school, for local governors and for parents. No doubt they will take into account the particular circumstances that the hon. Gentleman describes. However, there are schools in such circumstances in Norfolk where the choice has been made to become, for example, a specialist college. That has been entirely successful, and I recommend it to the hon. Gentleman and his constituents.

Mr. Michael Jopling (Westmorland and Lonsdale): Will my right hon. Friend understand that, while her welcome statement contains proposals for grammar schools, those proposals should not be the norm everywhere? Will she, for instance, consider the situation in Kendal in my constituency where we have two excellent grant-maintained comprehensive schools, one the old grammar school and the other the former secondary modern school, whose A-level examination results last year showed them to be the 14th best state school in the country and the best comprehensive school in the country? Will she remember the old adage: "If it works, don't start trying to fix it"?

Mrs. Shephard: I confirm that the Government do not seek to impose one uniform pattern of education across the board. I congratulate my right hon. Friend on the excellence of local education provision in his constituency, and I am delighted that part of it is delivered by grant-maintained schools.

Ms Jean Corston (Bristol, East): On 19 June 1979, Norfolk education committee considered a letter from the newly elected Conservative Government asking it to halt its policy of closing grammar schools—*[Interruption.]*

Madam Speaker: Order.

Ms Corston: The right hon. Lady was a member of that committee which opposed what the Tory Government were asking it to do. She also spoke at a meeting on 15 June in King's Lynn, together with an NUT organiser, arguing for the retention of comprehensive education. What has happened in the interim to cause her to commit such an amazing U-turn?

Mrs. Shephard: For one thing, although I hope that the House would not know it, I have gone rather grey. I have already made it clear exactly what I did when I was a member of the Norfolk county council. There was indeed a meeting at King's Lynn in June 1979. It is quite difficult to remember 20 years ago, but I have checked with a number of people, including officials of the county council, and I took no part in the meeting. I attended it, but I did not speak at it.

Mr. Rod Richards (Clwyd, North-West): I congratulate my right hon. Friend on her statement, but does she have any proposals to amend the statutory composition of school governing bodies? As education authorities have a diminishing role in education, allowing up to five local authority representatives on those bodies seems somewhat excessive.

Mrs. Shephard: There are no proposals for local education authority governing bodies in the White Paper,

but there are proposals, in line with recommendations of the Nolan committee, for governing bodies of grant-maintained schools which may well interest my hon. Friend.

Mr. Dennis Skinner (Bolsover): Talking of diversity, is the Secretary of State aware—she must be, because she has received letters from my constituents and from me—that a new scheme was tried in north Derbyshire, through the tertiary college in Clowne, to provide sixth-form courses for Bolsover school and Clowne Heritage secondary school? As a result, the Secretary of State and the Further Education Funding Council have stopped the money. Why has it been stopped, and when will it be started again?

Mrs. Shephard: I think that I shall have to write to the hon. Gentleman. The proposals are not in the White Paper, but I will seek them out and reply to him.

Sir Michael Shersby (Uxbridge): Is my right hon. Friend aware that hundreds of parents in my constituency, and in the borough of Hillingdon as a whole, will be delighted at the plan to allow grant-maintained schools to expand by up to 50 per cent. without publishing proposals? Can she assure me, however, that those schools will be able to receive funds for the extra running costs through the recoupment of moneys from local education authorities, using existing procedures? Can she also assure me that there is no way in which hostile Labour local authorities will be able to prevent that from happening?

Mrs. Shephard: My hon. Friend will note from the White Paper that we propose closer auditing of local authorities to ensure that grant-maintained schools receive all the funds that are due to them. I can confirm that, if grant-maintained schools propose to expand by 50 per cent., the revenue costs will come from local education authorities.

Mr. Barry Jones (Alyn and Deeside): Would not the best policy be to put more teachers into existing secondary schools? Does the Secretary of State accept that the grammar schools policy could be very divisive socially, and that there is no call for grammar schools in Wales?

Mrs. Shephard: I must re-emphasise that the whole point of the White Paper is to enhance parental choice and choice on the part of schools. If schools, parents and governors are satisfied with a good comprehensive that is running well, so be it; if there is pressure from schools, governors and parents for the school to take on a selective stream or to become fully selective, the White Paper will make that possible.

Mr. George Walden (Buckingham): Will my right hon. Friend accept my congratulations, along with my right hon. Friend the Prime Minister—he has left; he obviously does not want my congratulations—and the former Secretary of State, my right hon. Friend the Member for Mole Valley (Mr. Baker)? They should all be congratulated on what they have done to promote choice and diversity, but some of that could be spoilt if we rushed into an anarchic form of selection. What is needed is a serious, modern-minded debate that does not hark back to old class conflicts, but looks forward to selection by means of new, sophisticated assessments not just of ability but of aptitude.

How can we possibly discuss new grammar schools without considering vastly expanding and increasing finances for technology colleges? I suggest that, to begin with, the money should come from taxation of child benefit.

Mrs. Shephard: That is a nice little package from my hon. Friend. Let me reassure him: our right hon. Friend probably had a meeting to go to. I do not think that he was deliberately trying to avoid hearing what my hon. Friend had to say.

We leave it to the Labour party to hark back to the 1970s. As my hon. Friend says, the White Paper is forward-looking, especially over specialist schools and colleges. I thank him for his congratulations. The matter is clearly complex, and there is much to be sorted out, but I think—and am quite hopeful—that some of the proposals may well be included in legislation in the coming Session.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Will the Government at least spare Wales this madness? Will they understand that we in Wales want none of this divisiveness and deliberate sabotaging of the comprehensive ideal that was pioneered in our country?

Does the Secretary of State appreciate that it will be regarded as both irrelevant and repugnant, and that teachers will view with dismay the prospect of further disruption as a result of the process offered in the White Paper? To the people of Wales, it will be proof of the need for us to pursue our priorities—and to do that we need a parliament with legislative powers. In the meantime, will the Secretary of State please exempt Wales from the proposals?

Mrs. Shephard: The short answer is no. I hope that parents and schools in Wales will note that, on their behalf, the hon. Gentleman is rejecting all notions of choice. I do not call that very democratic. My right hon. Friend the Secretary of State for Wales, his colleagues and the Welsh Office will review with LEAs and schools current arrangements and those proposed in the White Paper—which, I remind the hon. Gentleman, fall somewhat short of a separate Parliament for Wales.

Sir David Madel (South-West Bedfordshire): I welcome my right hon. Friend's proposal that Ofsted should start to inspect local education authorities, not least to ascertain whether they are responding positively to parents' wishes. Will my right hon. Friend confirm that, with 95 per cent. of the money in due course going into schools and therefore into the classrooms, the way is clear for popular schools that become over-subscribed to expand?

Mrs. Shephard: I am glad that my hon. Friend welcomes the proposal that Ofsted should have the power to inspect LEAs. If parliamentary time permits, we hope to legislate for that in the new Session. I am glad that my hon. Friend recognises the flexibility that greater amounts of money delegated to schools gives them. With that extra

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money comes additional responsibility, and we must make sure that governors and others are well prepared to cope with it.

Mrs. Alice Mahon (Halifax): The policies outlined by the Secretary of State this afternoon are totally irrelevant to the children of Halifax, which has two grammar schools, because extra funding is needed for the rest of the schools. I invite the Secretary of State to visit Sowerby Bridge comprehensive school—which has 13 mobile classrooms in a disgraceful state—or the Ridings, another secondary comprehensive in desperate need of investment. What have the children of Halifax done to the Secretary of State to deserve her dreadful policies?

Mrs. Shephard: I might ask the hon. Lady what on earth Halifax local education authority is doing to schools in her borough.

Mr. Barry Porter (Wirral, South): Many assertions have been made about divisiveness. I invite my right hon. Friend to visit the Wirral peninsula, which has had good grammar and high schools for the past 20 years, since I resisted attempts by Shirley Williams to enforce comprehensives on us. The evidence of the Wirral peninsula is that grammar and high schools work in terms of academic achievement, are perfectly sensible socially, and have a good discipline record. That is there for all to see—and can be provided even for the hon. Member for Halifax (Mrs. Mahon).

Mrs. Shephard: I know that the picture painted of the Wirral by my hon. Friend is the case. Choice and diversity are alive and flourishing there, as in other parts of the country. It might be helpful if Opposition Front Benchers took the opportunity to visit the Wirral. I am going there in November, so they might like to come, too.

Mr. Paul Flynn (Newport, West): Has not the Secretary of State today exhumed from its dishonoured grave that cruellest, most wretched and wasteful feature of British education this century—a selection system that brands 90 per cent. of children as failures at the age of 11?

Mrs. Shephard: Oh, dear: another Opposition Member does not seem to have been listening. I have made it clear several times that we do not intend to return to the two-tier system of grammar and secondary modern schools. We propose the sort of pattern described by my hon. Friend the Member for Wirral, South (Mr. Porter), of comprehensives, perhaps a grammar school with a selective stream, a technology college and a language college. I ask the hon. Gentleman to be more open-minded, and to visit the Wirral or Kent.

Several hon. Members *rose—*

Madam Speaker: Thank you. We will now move on.

Points of Order

4.18 pm

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. My point of order concerns the Defamation Bill, particularly clause 13, which was passed by the House yesterday. It was generally agreed that, when that clause is enacted after Royal Assent, it will raise important issues of procedure and privilege as well as legal matters and, particularly, constitutional change.

It was generally agreed in debate that our procedures yesterday did not allow a full opportunity to assess the possible implications of that change. Indeed, there is no existing Committee of either House or a Joint Committee which was in a position to deal with that, particularly with the constitution of the Union—the Union of Great Britain and Northern Ireland and no other—and the possible differences that the Act will bring about on the different parts of that Union. The other place and ourselves are jointly the constitutional court of our constitutional Union, so both Houses have a part to play.

I believe that, during yesterday's debate, suggestions were made about how the gap in our procedures might be filled. May I ask you, Madam Speaker, to undertake consultation with various parts of the House to see whether the concern I have expressed is a general one, and if whether some conversations can take place about how we should proceed? Otherwise, should we not be dealing with our own constitutional duties in the way that I have described?

Madam Speaker: I am grateful to the hon. Gentleman, because he gave me some indication of his point of order. The House has taken a decision on the proposals to which he referred, and has given the Defamation Bill its Third Reading.

If the hon. Gentleman wishes to pursue his concern about the outcome—from what he said, that seems to be the case—he will have to find another way of bringing it before the House. He can do that by pressing those on his Front Bench or the Leader of the House for a Joint or Select Committee to review the law on privilege. I am sure that the hon. Gentleman is ingenious enough to be able to do that.

Mrs. Ann Clwyd (Cynon Valley): On a point of order, Madam Speaker. It concerns your ruling on an early-day motion about child abuse which I attempted to table last night. You said that the decision of the House on 20 June to approve a motion to set up a tribunal of inquiry means that the House's sub judice rule now applies, and that you cannot allow the early-day motion to appear on the Order Paper, although it refers to 1971 and the terms of reference of the tribunal are from 1974 onwards.

I question whether the motion of 20 June setting up the tribunal panel of inquiry was properly passed by the House. I was not able to object to the motion, as it was not called in the usual way. Over the past few days, I have looked at all the procedures used when remaining orders of the day have been taken since the House returned from its Whitsun recess.

I have examined the video recordings and found that, in every instance when a motion has been put, the number of the motion is called. For instance, on 5 June, only one motion was put to the House, and was introduced with the

words, "Motion No. 4". On 7 June, only one motion was put to the House and was introduced with the words, "Motion 2—business." In every instance, except on Thursday 20 June, that has been the case.

On that occasion, the Deputy Speaker said, "Now for the motion. The Question is the motion on the Order Paper." Where is the precedent for calling the motion without calling its number at the same time? I have failed to find it, and I should be grateful if you would inquire further into the matter.

Madam Speaker: I am sorry that the hon. Lady is continuing to pursue this point, notwithstanding the fact that I have written to her fully about it and explained things. I had hoped that my letter would clarify matters for her. I suggest that she looks again at what I have said in relation to her draft early-day motion and the motion agreed to by the House last Thursday. No timetable was mentioned in the motion, which was agreed by the House, on setting up a tribunal.

The hon. Lady's clear duty undoubtedly lies in providing the tribunal, when it is established, with all the very important evidence that she appears to have.

As regards what took place last Thursday, I am satisfied that the hon. Lady could not have been in any doubt about the motion under consideration. She was in her place, and she therefore had every opportunity to object to it—as she had done on previous days. I can help her no further now with this matter.

Trade Unions (Limitation of Financial Powers)

4.24 pm

Mr. Piers Merchant (Beckenham): I beg to move,

That leave be given to bring in a Bill to restrict the power of trade unions to dispose of their funds for certain purposes.

My Bill would regulate and limit the power of trade unions to dispose of their funds in ways other than for the direct benefit of their members. It builds on the Trade Union and Labour Relations (Consolidation) Act 1992, which requires union officers to keep proper accounting records of transactions and assets and liabilities and to establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances.

Essentially, my Bill is about transparency. It is based on the reasonable assumption that trade union members are entitled to know where their money goes, and that, in general, that money should be spent to their direct benefit.

I say at the outset that my Bill is not intended as an anti-trade union Bill. I am not against trade unions, and I have always believed that they have an important part to play in modern industrial society. As proof of that belief, I should say that I was an active trade unionist for many years. On two occasions, I was elected as a father of the chapel—shop steward, in other words—for the National Union of Journalists by one of the biggest NUJ chapels. I led several times in tough pay negotiations, and at one time I even found myself leading a strike—something that later resulted in an unfortunate experience for me at the hands of Baroness Thatcher.

Many people today, of course, have no time for trade unions. There is therefore an onus on unions to show that they have broken with the more questionable practices of the past. I believe that my Bill will thus help them in moving on to higher ground.

In essence, my Bill would tackle two areas of trade union spending. It seeks first to limit the extent to which unions can operate to the financial benefit of their leaders rather than of their members. The House will remember the extraordinary financial manoeuvrings of Arthur Scargill as he spirited his members' funds from one country to another in pursuit of his goals, which in the process cost ordinary miners a huge amount.

More recently—last month—*The Independent* reported that members of the Amalgamated Engineering and Electrical Union executive had awarded themselves what was termed "golden goodbyes" amounting to up to half a million pounds each. Those would enable executive members to retire up to 10 years early, to be paid around £40,000 a year, to receive a cash payment of £50,000 each and to keep their BMW or Rover cars, which are worth about £20,000. Not surprisingly, the union's newly elected president was then banned by his executive from saying anything about it.

It is one thing to use negotiating skills for the benefit of members, but it is quite another to use those same skills to divert members' funds to benefit self-appointed union fat cats so that they can live in idle luxury for the rest of their days. My Bill would make such deals transparent and subject to the approval of those unions' membership—approval that I suspect would not be forthcoming.

[Mr. Piers Merchant]

Secondly, my Bill would bring complete transparency and limits to trade union funding of outside organisations, including the Labour party. All money going to such organisations would have to be separately accounted for in far more detail than at present, its ultimate destination and purpose would have to be fully described, and, in total, it could not amount to more than a fixed percentage—to be agreed after consultation—of total membership dues.

Of course, some would argue that such funding should be ended altogether, and that trade unions should look after only their members, and not political parties. There is a case for that, but I am not advocating it. I am not advocating it in order to do the Labour party a favour—to protect the Labour party—for it is obvious that, without such funding, it would collapse.

The Labour party depends for more than 50 per cent. of its funding on the trade unions. It cannot sustain itself naturally because of a lack of any fundamental popular support for its policies, which is not surprising, as most people have no idea what they are. Indeed, the 1994 national executive committee funding statement made it clear that the unions provided 57 per cent. of the party's income in return for more than half the say in the party's affairs and policies.

Even more vital for Labour are the contributions made by unions to sustain the election campaigns of Labour Members. They are listed, clearly and properly, in the Register of Members' Interests. Member after Member reveals that he or she was able to stand only because of generous union funding.

The Transport and General Workers Union, the Manufacturing, Science and Finance union, the GMB, Unison, the National Union of Mineworkers, the Amalgamated Engineering and Electrical Union, the National Union of Rail, Maritime and Transport Workers, and the Communication Workers Union—to mention just some of them—are all at it, often with dozens of Labour Members in tow, their generosity no doubt closely coupled with reciprocal obligations.

In such circumstances, transparency is the key. If the Labour party would not be viable without the trade unions, and if it has to sell its soul, at least we should all know about it. That is particularly true as devices are uncovered which reveal hidden funding.

On 18 May, for example, *The Independent* exposed the Labour party's commercial unit, which receives an income by organising conferences and exhibitions for friendly unions. One union official was quoted as saying:

"If it wasn't for us the fund-raising figures would not look half so good."

Unions also give covert help in other ways, such as the provision of free or cut-price facilities, buildings, printing, manpower, subventions to regional Labour party organisations, and constituency support. All that should be clearly and transparently declared, too.

Then there are the rather mysterious funds, whose status I have previously questioned, which finance the offices and activities of key Labour Front Benchers. In the current register, there is the clandestine John Prescott Campaign/Research Trust which is, not surprisingly, described as giving support to the office of the deputy Leader of the Opposition. Do some trade unions provide money to that trust? If so, their members are entitled to know, and would do under my Bill.

The hon. Member for Dunfermline, East (Mr. Brown) receives support, according to the register, from the Industrial Research Trust/Fair Tax Campaign, but who funds that? My Bill would require that, if unions were involved, their membership should know all the details.

Of a similar but more mysterious nature are the exciting idea of the Mo Mowlam Research Fund, which fleetingly appeared in the Register, and reported financial support from Unison for the hon. Member for Peckham (Ms Harman), which did not appear in the register. Previously, the Labour leadership received funding from the Industrial Reform Trust, run by Lord Haskel, an associate of Lord Kagan, which sounded as if it might have union connections. It seems recently to have been superseded by the Labour Leader's office fund, a pedestrian name if ever there was one, but we do not learn much about its funding.

According to the hon. Member for Glasgow, Garscadden (Mr. Dewar), the Labour Front-Bench research fund has now been set up. The hon. Gentleman says that all will be revealed—but it has not been yet. Until it is, suspicion will continue, as my right hon. Friend the Prime Minister made clear in the House on 21 May. He said:

"In the Labour party, the trade unions provide the funds in return for votes at Labour's party conference and the party's trade union paymasters still have a say in Labour's election manifesto. That is the real scandal in party funding and the Labour leader cannot duck it."—[*Official Report*, 21 May 1996; Vol. 278, c. 96.]

Fundamentally, I am trying to help the Labour party. My Bill would bring transparency not just to trade union finances, but to the relationship between the Labour party and the trade unions. Recently, the Labour leadership has been saying that it wants that too—that it wants to break the shackles of the past. For that reason, I look forward to Labour's support for my Bill.

4.33 pm

Mr. David Winnick (Walsall, North): What we have just heard from the hon. Member for Beckenham (Mr. Merchant) was nothing more than malicious drivel. The fact that he spoke about political donations without any reference to the money that the Conservative party received from Asil Nadir demonstrates the impertinence of his proposals—*[Interruption.]* I do not know what the hon. Member for Lancaster (Dame E. Kellett-Bowman) is shouting, but I suggest that the hon. Member for Beckenham persuades his friends in the Conservative party to make sure that Mr. Nadir returns the stolen money. Moreover, the Tory party should return the money that Mr. Nadir donated, and as quickly as possible.

In respect of political donations, it is important to bear it in mind that trade unions can donate for political purposes only if they have established a political fund. They have no automatic right to make such donations. That has always been the case, even before recent legislation came into effect. No trade union can donate a penny for political purposes without the approval of its members in a ballot. Surely that is the honest way in which matters should be arranged, but there are no such rules for companies that make political donations to the Conservative party.

There may be a case for a change in the law—indeed, I would advocate one—but certainly not along the lines proposed by the hon. Gentleman. We want a level playing field, equity and the same conditions to apply to trade unions and companies. I do not mind companies contributing to the Conservative party, if they so wish. Surely that is right in a democracy. I question not their right to do so, but the method by which it is done. There is no ballot of shareholders or employees.

If trade unions have been required since 1913 to ballot their members on political funding, why can companies donate millions of pounds to the Conservative party without any reference whatsoever to their shareholders? There is a reference in the accounts, and nothing more. They require no ballot of their shareholders, and certainly no ballot of their employees.

Mr. Brian David Jenkins (South-East Staffordshire): They buy themselves a knighthood.

Mr. Winnick: As my hon. Friend says, money given to the Tory party can serve quite a good purpose. Since the present Prime Minister moved into No. 10 Downing street in November 1990, 68 per cent.—or more than two thirds—of the five peerages and 53 knighthoods that have been awarded to industrialists have gone to those whose companies made the largest donations to the Tory party. I consider that a scandal. It is as if we were returning to the days of Lloyd George, when peerages and knighthoods were for sale.

The hon. Gentleman said not a single word about that. Why not? If he is so keen to change the law applying to political contributions, he should recognise the need for equity. That is why my hon. Friends and I are keen that the issue of political donations to be referred to the Nolan committee. The committee was set up to establish decent standards in political life, so why was the Prime Minister so opposed to it examining political donations? Conservative Members know as well as I do that the right hon. Gentleman did not want the Nolan committee to examine the furtive, secret and underhand way in which the Tory party receives its funds.

I consider it a scandal that the Conservative party can be funded in such a manner. No one knows where the money comes from, as they are so reluctant to publish their accounts. It could be said that this was all political bias from a Labour Member, so let me remind the hon. Member for Beckenham that Mr. Eric Chalker, a leading Tory activist, has said time and again that the Conservative party should bring its practices up to date, become more democratic, and publish in full the sources of its funding.

I oppose the Bill because it is a bit of mischief-making and drivel from Conservative Members who are opposed to trade unions. The hon. Gentleman has told us that he was once a trade union activist, but it is absolutely clear that he is concerned with undermining the right of trade unions to donate for political purposes.

I want equity. I want a change in the law so that companies would have to hold ballots and the Conservative party could no longer be financed in secret, underhand ways. All such matters should be above board. Everyone should be able to see what is going on and the donations that are being made—to the Labour party and, certainly, to the Conservative party. There should be no more selling of peerages and knighthoods to those who give money to the Tory party. Those are the necessary reforms and changes, and that is why my hon. Friends and I will oppose the Bill.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 38, Noes 134.

Division No. 155] **[4.39 pm**

AYES

Arnold, Jacques *(Gravesham)*
Booth, Hartley
Bottomley, Peter *(Eltham)*
Brown, M *(Brigg & Cl'thorpes)*
Budgen, Nicholas
Cash, William
Chapman, Sir Sydney
Dunn, Bob
Gallie, Phil
Gill, Christopher
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Hampson, Dr Keith
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Lawrence, Sir Ivan
Marland, Paul
Marshall, John *(Hendon S)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Neubert, Sir Michael
Porter, David *(Waveney)*
Riddick, Graham
Skeet, Sir Trevor
Stanley, Rt Hon Sir John
Stewart, Allan
Sweeney, Walter
Thomason, Roy
Townend, John *(Bridlington)*
Viggers, Peter
Walker, Bill *(N Tayside)*
Whittingdale, John
Wiggin, Sir Jerry
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*

Tellers for the Ayes:
Mr. Patrick Nicholls and
Mr. Edward Leigh.

NOES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Benton, Joe
Berry, Roger
Betts, Clive
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Byers, Stephen
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Dixon, Don
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ewing, Mrs Margaret
Flynn, Paul
Foster, Rt Hon Derek
Fyfe, Maria
Galloway, George
Garrett, John
Golding, Mrs Llin
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Heiensley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Hoyle, Doug
Illsley, Eric
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(Birm S O)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kirkwood, Archy

Lewis, Terry
Liddell, Mrs Helen
Loyden, Eddie
Lynne, Ms Liz
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Madden, Max
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Purchase, Ken
Radice, Giles
Raynsford, Nick
Roche, Mrs Barbara
Rooney, Terry
Rowlands, Ted
Salmond, Alex
Sheerman, Barry
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Trickett, Jon
Turner, Dennis
Tyler, Paul
Wareing, Robert N
Welsh, Andrew
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Winnick, David

Tellers for the Noes:
Mr. Dennis Skinner and
Mr. Alan Simpson.

Question accordingly negatived.

Opposition Day

[16TH ALLOTTED DAY]

BSE

Mr. Deputy Speaker (Mr. Michael Morris): Before I call the hon. Member for North Cornwall (Mr. Tyler), I have to announce that Madam Speaker has selected the amendment in the name of the Prime Minister.

Mr. Michael Jopling (Westmorland and Lonsdale): On a point of order, Mr. Deputy Speaker. May I draw your attention to the fact that the Liberal Democrats' motion for debate today does something which, although I understand it to be perfectly in order, is done only rarely—it makes a personal attack on a Minister?

It has been well known for a good many weeks that the year's most important meeting of the Council of Ministers is taking place today, and it is essential that my right hon. and learned Friend the Minister of Agriculture attends. At the meeting, annual price fixing will be decided upon. Frankly, if my right hon. and learned Friend were not there, thousands of farmers in this country would fail to understand why he was not fighting for them. I can say that with experience, having been Minister of Agriculture for more than four years. [HON. MEMBERS: "This is a point of order."] Mr. Deputy Speaker, although hon. Members are at liberty to table any motion they like, will you deplore a motion that attacks a Minister personally when there is no sensible way in which—

Mr. Deputy Speaker: Order. As the right hon. Member has suggested, the motion is in order. It is not for the Chair to take a view one way or the other on any motion before the House.

Mr. Jopling: But, Mr. Deputy Speaker, you are the guardian of the rights of all Members of this House and you must ensure that there is fair play. I suggest to you that what the Liberal Democrats have done today is sneaky, underhand and cowardly.

Mr. Deputy Speaker: Order. I have given a clear ruling—the motion is in order, and this is not a matter on which the Chair should ever comment.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. Will you acknowledge that, over the years, both Tory and Labour Oppositions—and Liberals, as in this case—have traditionally tabled such a motion to draw attention to problems within the Government? It is quite usual practice. Will you also confirm that, in every newspaper at the weekend, the Tory spin doctors were suggesting that the Minister of Agriculture was to be culled out of the Government? This motion gives Tory Back Benchers an opportunity to defend him, and to support him in the Lobby.

Mr. Deputy Speaker: Order. I confirm that similar motions have been used before, and I am pleased to say that I was unable to read all the newspapers at the weekend.

4.55 pm

Mr. Paul Tyler (North Cornwall): I beg to move,

That this House believes that, in view of the Government's mishandling of the BSE and beef crisis, the salary of the Minister of Agriculture, Fisheries and Food should be reduced by £1,000.

The motion is simply and solely concerned with ministerial responsibility—that of all Ministers at the Ministry of Agriculture, Fisheries and Food—for the 13-week nightmare between 20 March and the Florence summit. Clearly, we must wait for another day and another debate to examine the reasons and the responsibilities for the spread of bovine spongiform encephalopathy up to 20 March in the UK.

On Friday evening, the Member of the European Parliament for East Devon and Dorset, Mr. Bryan Cassidy—summing up the caustic response locally to the Florence agreement—said that farmers were being

"ungracious—farmers have to accept that they are partly responsible".

That was his reaction. I doubt whether farmers in his area, or in the constituencies of Conservative Members, would agree with him that they should now take the blame for the BSE beef crisis. If the "blame somebody else" syndrome is permeating the Conservative party, its concentration on defeating the real enemy—the disease itself—will again falter. If that is to be the Government's attitude, I foresee that Ministers and farmers will have their horns locked together for many months to come. But it need not have been so.

When the ministerial statements were made in the House at the outset, those who represent rural areas and the rural economy offered to work with the Government to seek practical solutions. Given the sudden and shocking nature of the ministerial U-turn on 20 March, our response, and that of the farming unions and others in the industry, was surely positive, immediate and entirely co-operative.

As early as 25 March, we Liberal Democrats wrote to the Prime Minister, setting out a framework for the eradication programme. After consulting the president of the National Farmers Union and other food industry leaders, we followed that with constructive suggestions. For example, we proposed the concept of a beef assurance scheme to exempt late-maturing cattle. We are still waiting for that, but we hope that it will come soon. We also suggested a credit guarantee scheme for those throughout the industry who have been hit so hard following the ministerial announcements. Incidentally, I understand that Ministers from the Department of Trade and Industry have announced the withdrawal of useful loan guarantees from agricultural businesses from August. I hope very much that that decision will be reversed.

Even before our outline submission, the Minister had floated the possibility of a massive cattle cull during the weekend television interviews that many of us saw. However, his evident disdain for any offer of help or co-operation in those early days was just as damaging to the eventual outcome. An excellent summary of the situation, to which I refer hon. Members, appears in today's *The Daily Telegraph* in an article by Boris Johnson, who said:

"Hogg terrified the farming world with airy talk of a 4.5 million bovicide. He seemed arrogant in turning down help from his ministerial colleagues in handling the disaster—before being pushed to one side in favour of Roger Freeman and Malcolm Rifkind. Worse still, Hogg's forays to Brussels and Luxembourg during the early days of the crisis were crowned with a conspicuous lack of success".

That was the essential prelude to the Florence summit.

On Friday evening, the south-west region advisory board of the NFU

"registered its continued opposition to the principle of the cull and set out a series of pre-conditions which must be met for the NFU's acquiescence to it".

There followed a series of practical, reasonable statements with which most Ministers and hon. Members would agree.

If Conservative Members have received representations similar to those that I received at the weekend by telephone, by letter and in my advice surgery, they can be in no doubt whatever that the innocent victims of the beef crisis are no nearer to a solution to their problems simply because the Prime Minister raised the white flag at Florence.

Mr. Patrick Nicholls (Teignbridge): I am grateful to the hon. Gentleman for giving way so early in his speech. Is he saying that the Government should not have agreed to any increase in the cull whatever, even if that meant the dispute dragging on indefinitely?

Mr. Tyler: I hope that the hon. Gentleman will be patient, because I had the advantage of talking to member state Ministers and the Commissioner last week, and I shall explain precisely what could have happened. Farmers may conclude, including those in the hon. Gentleman's constituency, that anything would be better than the continuation of the silly war games that were causing such difficulty and distracting attention from the real crisis at home. I would not blame them for that.

However, the 650,000 people whose livelihoods have been put at risk by the Government's mishandling of the crisis are surely justified in being sceptical about the piece of paper that the Prime Minister flourished aloft after the Florence summit.

In briefing hon. Members today, the National Farmers Union has reiterated its position, which I believe is broadly supported by the National Farmers Union for Scotland, the farmers unions in Wales and other parts of the industry. I apologise for quoting at length, but it is important. It states:

"From the first time that the Government announced it was considering a selective slaughter scheme, in addition to the over 30 month cattle disposal scheme, the NFU has expressed deep concern on behalf of the farming community. The scientific basis for a selective cull is unconvincing as such a scheme would be ineffective in hastening the eradication of BSE in the British herd—though it is anticipated that there would be some reduction in the number of cases of BSE coming forward over the next year or two.

The Florence Agreement confirms that the Government are now committed to an accelerated cull of those cattle considered to be at most risk from incubating BSE. When originally proposed the scheme was aimed at a nominal 40,000 cattle; the Government then doubled this to 80,000, and by taking in those cows born in 1989/90 into the Florence Agreement (albeit on a voluntary basis), the scheme could embrace up to a nominal 150,000 cattle. These animals are not the 'clapped out milkers' that have been referred to in some quarters, but many cases are high quality dairy cows in their prime milk producing years. The impact on some farmers of the cull is likely to be devastating with some individuals facing the loss of as much as 60 per cent. of their whole herds."

Mr. Edward Leigh (Gainsborough and Horncastle): Will the hon. Gentleman give way?

Mr. Tyler: No. The NFU continues:

"Clearly, given the lack of scientific justification for the cull, this is a very high price indeed which Britain's farmers are being asked to pay as part of a package intended to result in the ban on British exports of beef being lifted, and to restore public confidence."

Mr. Dafydd Wigley (Caernarfon): That is an important quotation. Does the hon. Gentleman agree that it appears that there has been no scientific assessment of the logic of the cull for—and its impact on—the dairy sector, which is important in my county of Gwynedd and especially important in Dyfed? Its effect could be devastating in those areas.

Mr. Tyler: That point was raised with the Minister of Agriculture when he appeared before the Select Committee last week. He gave inadequate answers, but brushed aside the suggestion that that was a proper policy to pursue.

Mr. Nicholas Budgen (Wolverhampton, South–West): The House regrets this enormously expensive and cruel selective cull, but is there any evidence that the European Commission would have accepted a lesser number of cattle?

Mr. Tyler: Yes, there is evidence. I am coming directly to that point. I read the hon. Gentleman's article in *The Daily Telegraph* this morning and I have some respect for his views. I shall quote them in a moment, so I hope that he stays long enough to hear the endorsement that I shall give him. Unfortunately, he missed an important point to which I shall return.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Tyler: I have given way already.

The NFU has also drawn attention to the fact that the series of political and bureaucratic hurdles over which each stage of—

Mr. Nicholls: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that this is a genuine point of order.

Mr. Nicholls: Am I right that if an hon. Member quotes from a document, it must be deposited in the Library? If that document is deposited, its conclusion, which the hon. Gentleman has not quoted—

Mr. Deputy Speaker: Order. I should have thought that the hon. Gentleman would know by now that that applies only to ministerial statements.

Mr. Tyler: I am sorry that the NFU's points may seem less important because of that extraordinary intervention.

The NFU makes it clear that the critical issue is the series of political and bureaucratic hurdles over which each stage of the relaxation of the export ban will have to pass. That is the point that the hon. Member for Wolverhampton, South-West (Mr. Budgen) made in his article. The problem was simply brushed aside by the Prime Minister yesterday in responding to Conservative Members and to my right hon. Friend the Member for Yeovil (Mr. Ashdown), but it is critical.

We must distinguish between the European Union's Scientific Veterinary Committee and the Standing Veterinary Committee. They are different animals. The former is a group of professional experts appointed to give strictly scientific veterinary advice to the Commission, while the latter is a group of national Government representatives, which operates on the agenda of their Ministers.

In our meeting with Commissioner Fischler last Wednesday, just after he had presented his position paper to the European Parliament in Strasbourg, he confirmed that the Standing Veterinary Committee would play a key role in every stage of the process. In short, every step of the post-Florence process will still be subject to the political pressures that the Prime Minister identified in his statement to the House on 21 May as the reasons for his declaration of war. Nothing that he said yesterday can remove the fact that our beef exports are still at the mercy of what he described as

"a wilful disregard of Britain's interests, and, in some cases, a breach of faith . . . for reasons that have nothing whatsoever to do with the science involved."—[*Official Report*, 21 May 1996; Vol. 278, c. 99.]

That remains the position.

Mr. Budgen: This is a sad speech for a Liberal Euro-enthusiast to make. Presumably, it means that his party is going to change its attitude because of the fundamental unreliability of Europe on so many important issues.

Mr. Tyler: I am sorry that the hon. Gentleman has misunderstood. I come directly to his article in *The Daily Telegraph*, where he rightly identifies that point as the weakest link in the ministerial spin that has been put on the outcome of the Florence summit and the piece of paper that the Prime Minister waved at us at the weekend. He does not seem to realise the significance of the two types of committee and the fact that both are involved, together with the super-SEAC committee that is responsible for the eradication of BSE. His article stated:

"if the technical evidence is on our side, let's cut up rough again."

The hon. Gentleman fails to appreciate that, at the opening of the Florence summit, the Prime Minister specifically ruled out that possibility. He has passed the buck and he has passed that opportunity.

Mr. Tony Marlow (Northampton, North): It is clear that the matter is to be considered on the basis of scientific evidence. If the Standing Veterinary Committee takes its orders from Chancellor Kohl and, against the veterinary evidence, decides to continues to ban the export of prime British beef, we shall be back where we were before. Is that what the Europeans, Chancellor Kohl and the hon. Gentleman's friends on other side of the channel want? Do they want to go back to war against Britain? No, they do not; they want to get rid of the beef ban, because it is hurting them more than it is hurting us.

Mr. Tyler: We all want to get the rid of the export ban and of BSE. My point is that the timetable that the Prime Minister said was his objective in introducing

non-co-operative tactics is non-existent. There is no timetable yet, as Conservative Members know. The failures of MAFF policy and practice in the first 12 weeks of the crisis, at home and abroad, left the British team in an impossibly weak position in Florence.

The Prime Minister boldly promised the House on 21 May that his obstructive non-co-operation campaign would continue

"until we have agreement on lifting the ban on beef derivatives".

We do not have that in place. He said that there must be

"a clear framework in place leading to lifting of the wider ban."—[*Official Report*, 21 May 1996; Vol. 278, c. 100.]

We do not have that at all. Both the explicit objectives given as the reasons for declaring war have failed. The Prime Minister cannot claim to have achieved either and, indeed, did not attempt to claim that yesterday. What he claimed was that the British Government would meet all the necessary deadlines in the autumn. He has failed to meet any of the declared deadlines so far. Conservative Members may remember the prevarication on introducing the cull, which was put off on several occasions. Long delays took place. Surely that promise was foolhardy in itself.

What of the claim by the Prime Minister yesterday that the whole cull backlog would be cleared by the autumn, making progress through the myriad of EU committees possible? The present cull scheme is due to end on 31 October, but the NFU foresees little chance of catching up with the existing backlog until well after that date. Then, of course, the older cattle will have to take their turn behind the queue that is forming from the new post-Florence so-called selective cull. On present throughput, the end of the year may be a more realistic estimate, if all goes well. I shall come back to that in a moment. The cull could go well into next year.

I note that other hon. Members spotted other flaws in the Prime Minister's statement yesterday. For example, the hon. Member for Taunton (Mr. Nicholson)—I know that he cannot be here, but I mentioned to him that I would express my approval of the point that he made—is reported in the *Western Morning News* this morning as warning:

"the ban on exports outside Europe should be lifted by the end of July, otherwise 'all those fine words from Florence' would seem worthless."

I suspect that other Conservative Members will take that view, but it is highly unlikely that it will be lifted by the end of July.

Commissioner Fischler told us last week when we met him:

"the Commission could not sanction the dumping on other countries of food which was not approved for eating in Europe."

That was an explicit statement by the Commissioner. As Conservative Members are fully aware, part of the process to which the Prime Minister signed up is that the Commission should have the last word on the subject. The Prime Minister failed to reassure anyone yesterday on that point. His statement was a string of phrases such as, "We aim to be in a position", "I expect a Commission proposal" and "I believe that we should have met the conditions". In short, he displayed again a totally unwarranted triumph of hope over experience.

Mr. Marlow: Will the hon. Gentleman give way?

Mr. Michael Lord (Central Suffolk): Will the hon. Gentleman give way?

Mr. Tyler: No. I must make some progress. I have given way on several occasions.

Hon. Members will not be surprised to hear that one of the Prime Minister's Ministers last night described those pledges as

"a massive hostage to fortune."

In the meantime, those who have pored over *Hansard* this morning, as I have, will have noted that the Prime Minister had nothing to say of any consequence about the case that is before the European Court of Justice. What will happen to the cull programme if the United Kingdom Government are successful in that case? Will it stop? However much Ministers dodge and weave, they must give a direct answer this evening to that question.

The compensation package now under discussion in Luxembourg is of critical importance. Everyone must agree that the specialist beef producers are still losing huge sums and must be properly compensated for the effects that the Government's actions have had on them. Ministers must give an explicit assurance tonight that they accept the principle so robustly stated this afternoon by the Country Landowners Association:

"compensations must put farmers back where they were, in economic terms, no more no less."

The sober conclusion of those directly affected by Florence is that the continuation of the absurd war games could have led to even worse results. But we are surely far from out of the wood yet.

Mr. Lord: All that the hon. Gentleman is doing is treating the House to a canter round a course that we all know. This country is back to eating beef now, so we all know that beef is safe. This is all about playing politics, and when we are playing politics, it is difficult for any Minister of Agriculture to approach the matter in a sensible, agricultural and scientific way.

The hon. Gentleman has been speaking for some 20 minutes. If he has come to the House to criticise my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, he is duty bound to tell the House what he would do were he in my right hon. and learned Friend's place.

Mr. Tyler: The hon. Gentleman is clearly out of touch with what is happening in the rural areas of Britain. I am coming directly to the answer to his point. The clear evidence which we are putting before the House, and which the industry has put before Members of Parliament for the past 13 weeks, is that the Government's mismanagement of the crisis at home and abroad has made a bad situation worse. Members of Parliament are entitled to hold the Government accountable for what has happened. That is our job as Members of Parliament, and it is the job of Conservative Members as Members of Parliament, too.

[Mr. Tyler]

It is clear from the contacts that many of us from all parties have had that if the Government had come forward with a realistic proposal at an earlier stage, we could have avoided much of this most difficult situation that has arisen. I know that from my meetings with Ministry officials, officials from other member states and Commission officials way back in April.

Eight weeks ago, and five weeks after the Minister's statement here in the House of Commons, the Commission had still not received any hard proposals whatever from the United Kingdom Government. Commission officials were not antagonistic to Britain, as we now know. They were simply frustrated by the total lack of information and of an opportunity to discuss solutions. They were as frustrated as we were that suggestions made by others outside government were brushed aside. That situation continued for weeks. There were no hard proposals from London.

Mr. Fischler and his team, quite apart from the Government's allies in Bonn and Paris—Conservative Governments now, so no excuses—could rely only on reports of increasing chaos as the 30-month cattle cull was so badly mismanaged in Britain. Indeed, the full MAFF plan—all 171 pages of it—entitled "Programme to eradicate BSE in the United Kingdom" was published and submitted to the Commission and other EU member states only on 31 May. That was 10 weeks after the crisis erupted and 10 days after the Prime Minister declared a policy of non-co-operation. Was it surprising that it was not well received?

When I was in Strasbourg last week, the Commission presented its position paper to the European Parliament. I had private meetings that day with the Italian Foreign Minister, who was then preparing the agenda for the Florence summit, and with Commissioner Fischler. We were left in no doubt that the United Kingdom Ministers' policy of non-co-operation had delayed the solution of the export ban, and that a more positive step-by-step proposal at an earlier stage could have removed the issue from the political arena and kept it at a scientific and medical level.

Mr. Edward Garnier (Harborough): On the subject of science, will the hon. Gentleman tell us his views on one theory that BSE has nothing to do with mammalian feedstuffs, but may be caused by organophosphates and warble fly treatment? Has he reached a conclusion on that?

Mr. Tyler: All the evidence from the scientists in Britain and elsewhere suggests that there is no direct causal link between organophosphates and BSE, but the impact of OPs on the central nervous system may well affect the immune characteristics of an animal and make it more susceptible to BSE. That appears to be the general view of many who have examined the issue. I shall return to the scientific and medical basis on which we are operating. The hon. and learned Gentleman is right. There are still some unanswered questions.

We were told in no uncertain terms by the Commission last week that we would have had a much better chance of securing support from the other Governments, as would the Commission, if there had been an early statement of our position. We would have been able to get a much more realistic cull if the Minister and his colleagues had presented their proposals in the first few weeks instead of resorting to the bully-boy blackmail that came later. That view was confirmed to my hon. Friend the Member for Ross, Cromarty and Skye (Mr. Kennedy) and me by German and Dutch Ministers in Bonn and The Hague last Thursday.

Indeed, the Minister himself may have shared that view earlier. The House will recall that the Minister insisted throughout April and May that a modest selective cull would be sufficient to meet the anxieties of other EU Governments. He said that the number was in the lower tens of thousands. Even as late as 20 May, he said that 42,000 would be enough. Even after the failure of his frontal assault on the Standing Veterinary Committee on that date, he still argued that some 80,000 would be sufficient. Either the Minister misread the diplomatic signals from his EU colleagues or he attempted to mislead the House. Either way, he cannot be allowed to escape censure on that point.

It seems, therefore, that thousands of healthy cattle are to be slaughtered unnecessarily. The late, failed tactics of the Government have caused that situation. On 21 May, the Prime Minister was faced with the choice between sacking his Minister of Agriculture to appease his Back Benchers and causing a diversion abroad—he chose the latter. As a result, 60,000 extra cows will be wantonly sacrificed just to save the Hogg's bacon.

Is slaughter on that scale practical? At the Select Committee hearing last Tuesday—to which I have already referred—the Minister implied that it was not practical and he poured huge buckets of cold water on the very suggestion. Yesterday, a spokesman for the Prime Minister said that the Ministry of Agriculture, Fisheries and Food had revised its opinion and said that it was technically feasible to extend the cull to 1989 and 1990 after all—up to 150,000 extra cattle could be added. Was the Minister right last week, or is he right this week? Was his statement a realistic appraisal? Has it now been overtaken by post-Florence soft soap?

The industry has every reason to be cautious—we must remember the continuing chaos within the current limited cattle cull programme. While Scotland is now making some progress—clearly, some of its quota should be redirected to areas of scarcity in England and in Wales—most areas are still subject to erratic and inexplicable variations and shortfalls. Farmers are desperate as the local backlog shows no sign of dispersing and costs mount.

Such was the embarrassment of the Federation of Fresh Meat Wholesalers about the chaos that it issued the following direction to its members on 23 May:

> "Rumours and gossip verging on the scurrilous are widespread. If for short term reasons these are wound up to produce political pressure on Ministers, we are concerned that the option remains for them to take emergency powers, requisition a small number of plants and take total control of the cull themselves."

Some hon. Members may have been under the misapprehension that the Government were already in control. However, that is not the evidence of those closest to the scheme. No wonder the Prime Minister decided that very week that MAFF could no longer be trusted with the cull.

If there is a silver lining to Florence, it is that the Ministers concerned must now concentrate on the crisis at home. The demotion of Agriculture Ministers and the

promotion of the Chancellor of the Duchy of Lancaster to be BSE supremo may have sorted out the worst of the shambles on the 30-month scheme—not before time, and I hope that it continues.

This morning, I had representations from abattoirs and auctioneers from as far afield as Helston in the south-west and Carlisle in the north-west. They are still expressing dismay at the continuing mismatch between regional demand and provision of allocation slaughter and processing capacity.

Mr. Matthew Taylor (Truro): The situation surrounding the 30-month scheme is dire in the south-west—I have no reason to believe that that is not the case elsewhere. Farmers in Devon and Cornwall are unable to get cattle slaughtered, and the numbers are piling up because of a lack of capacity—even though there is capacity in areas that do not need it. That must be sorted out.

Will my hon. Friend comment on the fact that the allocation of numbers appears to cater to big business interests—the big abattoirs and the big renderers—and bears little relation to the needs on the ground or to the long-term future of the industry? There appears to be an attempt to close many of the independent abattoirs.

Mr. Tyler: I agree with my hon. Friend. I believe that there may be a hidden agenda. Now that Ministers' attention has been drawn to that by hon. Members, I hope that they will give it urgent attention.

There is a direct mismatch between the area-by-area needs of the industry and the provision of slaughter and processing capacity. There is another mismatch—to which hon. Members who spoke in the previous debate will wish to return. Auctioneers are finding that the proportion of cull cows and clean cattle that will go through livestock markets is not what was promised at the outset. I hope that the Minister will give us a guarantee that future allocations will offset the previous discrepancies. There has been little equity and little efficiency so far.

What are we achieving? Naturally, there is continuing concern within and outside rural areas about the basic scientific hypothesis and the health considerations on which the Minister and his colleagues took their original decisions. I note that there has been no substantial dissent from an article that appeared in the *British Medical Journal* on 30 March 1996, headed "BSE and CJD—The link is unproved, but no better explanation is presently forthcoming." The article stated:

"the link to cattle products is itself only a presumption; how ironic, for example, if 11 million British cattle should be slaughtered in a pre-emptive strike to eliminate the risk of zoonotic CJD, only to find belatedly that the true villains were pigs or chickens which were also fed contaminated nutritional supplements but were brought to market at such a young age that the disease had not had time to become manifest."

No one has disputed that view. What does the Minister say? After the record of ministerial and official scientific advice on the issue in recent years, are we to believe what the Minister says anyway?

Last week, I asked a Health Minister a specific question and I got a specific answer. He told me that 10 out of the 20 younger victims of Creutzfeldt-Jakob disease—the human version of BSE—had been undergoing growth hormone treatment. That is 50 per cent. Unlike so many of the statistics that link CJD to farming methods, that is highly significant and should be at the centre of ministerial attention. However, by then Ministers and the media were well on their mad cow trip. It is always easier to blame someone else.

The right hon. Member for Westmorland and Lonsdale (Mr. Jopling) suggested that the wording of our motion personalised our attack on the Ministry. All hon. Members know that that is the proper parliamentary way to proceed. On a previous occasion, the Minister was kind enough to apologise for not being able to be present. I understand his absence today and I do not read anything into it.

However, I had much higher hopes of the Minister's stewardship of his Department. I made a speech on 10 April and suggested that the Minister should not be made a scapegoat. I thought that there would be a reasonable chance that he would be able to do better than his predecessors and his colleagues, and that he would not make an even worse mess than they had already created. It seemed that the collective incompetence of the Government was being unfairly offloaded on to the Minister. The snide comments of some of his colleagues—in the Texan phrase, that he was "all hat and no cows"—seemed to be premature. I admit that I was over-optimistic.

Clearly, the Prime Minister agrees with me. Why else did he appoint the Foreign Secretary to take over the Minister's negotiating role abroad and appoint the Chancellor of the Duchy of Lancaster to take over the direction of the BSE eradication programme at home? The Prime Minister must believe that the Minister was not up to the job. I hope that the Prime Minister will, for once, act logically and join hon. Members in demanding that Ministers take full responsibility for their Departments.

Yesterday, I was reminded by a former civil servant that it was over an agricultural issue that a Minister—the hon. Member for South Derbyshire (Mrs. Currie)—last resigned, because she felt that she had let down her Department and that her Department had let down the nation. Indeed, a former Minister of Agriculture resigned over the Crichel Down affair and established that precedent.

The long-suffering beef and dairy industry—those connected with the industry have had their livelihoods put at risk over the past 13 nightmare weeks—should at least have the satisfaction of knowing that someone is accountable to the House for the disaster.

Mr. Deputy Speaker: Before I call the Minister to move the amendment, I must announce that Madam Speaker has decreed that speeches between 7 and 9 pm shall be restricted to 10 minutes.

5.29 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'congratulates the Government on securing a clear framework for the lifting of the European ban on British beef; welcomes the package of support the Government has provided to the beef industry over the last three months; and urges the Liberal Democrat Party to work with the Government to restore confidence in British beef instead of carping and criticising from the sidelines.'.

I believe that the debate is a disgrace. The Liberal Democrats—particularly the hon. Member for North Cornwall (Mr. Tyler)—have dragged proceedings in the

[Mr. Tony Baldry]

House to a new low. We have just heard a self-serving, self-seeking, sanctimonious and tawdry little speech. Let us be clear about what is happening today: the Liberal Democrats have used their Supply day to debate the conduct of my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, knowing full well that he could not be here to defend his reputation.

My right hon. and learned Friend is not here because he is in Luxembourg attending the most important Agriculture Council meeting of the year. He is negotiating the common agricultural policy price fixing and working to get the best deal for British farmers, including specialist beef producers. If the hon. Member for North Cornwall had been out and about talking to as many farmers as me, he would be aware that specialist beef producers want not sanctimonious speeches in this place but action. That is what they will get in Luxembourg.

What are the grounds for the hon. Gentleman's attacks on my right hon. and learned Friend? Are they that he is a dishonourable man? Most of us know that my right hon. and learned Friend is one of the most honourable and decent Members of the House. Throughout the crisis, he has remained above personal attacks and mudslinging. He has worked flat out for three months to try to resolve the crisis and to secure a future for our beef industry.

Perhaps the hon. Member for North Cornwall believes that my right hon. and learned Friend concealed vital information from the public or from the House. No: my right hon. and learned Friend and my right hon. Friend the Secretary of State for Health came to the House with new scientific advice about bovine spongiform encephalopathy within hours of receiving it from the spongiform encephalopathy advisory committee. In the latter part of his speech, the hon. Gentleman seemed to suggest that the Liberal party knows more about BSE than SEAC. Of course, the Liberals—who are craven servants of federalism—say that we should have gone to Brussels first. I do not believe that the House would or should have tolerated such a move. Ministers are accountable to the House first and last.

What else is my right hon. and learned Friend supposed to have got wrong? It is alleged that he misled the public about our plans for a selective cull. The media may have misled the public, but my right hon. and learned Friend certainly did not. I have a transcript of the interview that he gave to the "On the Record" programme four days after he reported to the House. I shall read what he said when he was asked which animals the Government were considering culling, and I shall ensure that a copy of the transcript is placed in the Library so that hon. Members can check the veracity of my quotation. My right hon. and learned Friend said:

> "I certainly am focusing on the question of the older cow . . . that is jargon. . . for the beast above 30 months. That is the class of beef we should look at first".

That is all that he said about a cull in that interview. That is precisely what we did, and the 30-month scheme is now operating successfully. How did the press report my right hon. and learned Friend's remarks the following day?

Mr. Matthew Taylor *rose—*

Mr. Baldry: I must make some progress. The Liberal Democrats have been dishing up dirt for the past 40 minutes; they must now hear the facts.

The Times carried the headline,

> "Ministers set to back killing of 4 million cattle",

and the headline in the *Daily Express* was

> "Millions of cows facing slaughter".

Other newspapers carried similar headlines. The hon. Member for North Cornwall quoted Boris Johnson from today's edition of *The Daily Telegraph* and suggested that my right hon. and learned Friend had called for the culling of 4 million bovines. Any hon. Member who takes the time to read the interview will see that that is complete fiction: my right hon. and learned Friend said nothing of the sort. We must ask ourselves, who governs this country: the House or the misrepresenting media?

The Liberal Democrats do not have to think about those issues. They have not been in government for more than 70 years and they do not know the first thing about real responsibility. That is why they engage in gutter politics. When they discuss policy, they become the laughing stock of the nation. In fact, I am amazed that the Liberals were in government as recently as 70 years ago. The debate shows that they are an old, clapped-out party.

Mr. Malcolm Bruce (Gordon) *rose—*

Mr. Baldry: I shall give way in a moment. The Liberal Democrats dished out a lot of dirt for a long time and I must put some facts on the record.

The hon. Member for North Cornwall knows that our policy of non-co-operation has delivered the goods. We now have a clear framework for the lifting of the European ban. Unfortunately, the leader of the Liberal Democrats, the right hon. Member for Yeovil (Mr. Ashdown), has spent the past month telling anyone who would listen that non-co-operation would achieve nothing. How wrong he was. The Liberals are the craven servants of European federalism: they refuse to stand up and fight for Britain's national interests.

The behaviour of the Labour party—whose Members are conspicuous by their absence—over the past three months has shown that it is not fit for government.

Mr. Leigh: What is the Liberal Democrats' problem with my right hon. and learned Friend? Is it the fact that he is a man of outstanding intellect and honesty—we know that he is both of those things—or the fact that he does not suffer fools gladly?

Mr. Baldry: My hon. Friend sums up the issue. The Liberal Democrats' problem is with themselves and how they treat politics in this country. We have seen how they behave. The hon. Member for North Cornwall suggested that there was over-capacity in the over 30-month scheme in some parts of the country. However, he did not specify which parts of the country are over quota. I suspect that the Liberal Democrats will travel around the country suggesting that there is excess capacity elsewhere—it will mysteriously move around to suit them. I suspect that they will make that point in every part of the country.

Mr. D. N. Campbell-Savours (Workington) *rose—*

Mr. Baldry: I must say something about the Labour party and then I shall gladly give way to the hon. Gentleman.

We all remember the hysterical outburst of the hon. Member for Peckham (Ms Harman) at the beginning of the beef crisis which did so much to undermine consumer confidence. We do not see her around so often these days—perhaps the men in grey suits from the Leader of the Opposition's office have carted her off to some sanatorium. The shadow agriculture Minister, the hon. Member for Edinburgh, East (Dr. Strang), said—I shall quote from his press release—that

"a temporary cessation in the movement of British cattle, beef and beef products may be wise at this time".

That is an export ban by another name. It is hardly surprising that our European partners have proved so difficult to budge over the ban when the official Opposition support it.

Mr. Campbell-Savours: The Minister would do well to recall that there is a Public Gallery and that people are watching the debate.

Mr. Deputy Speaker: Order. The hon. Gentleman would do well to remember that there is no such thing as a Public Gallery as far hon. Members are concerned.

Mr. Campbell-Savours: The matter is on the record. The debate is about BSE and not about knocking the Liberal Democrats—and I say that as a Labour Member of Parliament.

I refer the Minister to a letter that I received on 23 September 1994. It is signed by Earl Howe and it states:

"The State Veterinary Service also monitors compliance with the statutory controls inter alia by visiting rendering company plants to check both the separation of SBO from other material and the adherence of renderers to the code of practice for the disposal of SBO. We"—

the Government—

"are generally satisfied with the effectiveness of these provisions and are unaware of any evidence to suggest that potentially contaminated SBO material is illegally entering the human or animal food chain".

Will the Minister confirm that when the letter was written Agriculture Ministers knew what was going on but hid the truth about contamination from the Select Committee in documents submitted to it and from Parliament? They refused to answer parliamentary questions clearly and we were denied the truth. If we had known the truth then, we would not be in this mess today.

Mr. Baldry: Anyone watching the debate will see that only five Labour Back Benchers are present. The absence of a Labour amendment shows that the Labour parliamentary party has little interest in the debate or in the country's agricultural and farming interests. If the hon. Member for Workington (Mr. Campbell-Savours) took the time and trouble to read the Order Paper, he would see that the motion is about my right hon. and learned Friend the Minister of Agriculture. The way in which the Liberal Democrats have chosen to phrase the motion is a proper cause for debate.

I am not sure whether the hon. Member for Workington remembers the last Labour Government, but whenever he speaks he seems to suggest that Ministers deliberately concealed information. That is untrue. Throughout, Ministers have been open, frank and honest with the House. I rebut any scintilla of a suggestion that Ministers have withheld information from the House or from the country. It is despicable that the hon. Member should make such suggestions.

Dr. Gavin Strang (Edinburgh, East): The Minister knows that my statement—and I stand by it—was made immediately after the announcement on 20 March. Let us remember the scale of the hysteria: Ministers were going to report after the weekend on whether the risk to children was greater. Given the collapse in demand for cattle and beef in this country, it was inevitable that there would be a massive movement across the channel. If the situation had been the other way around, I like to think that the British Government would have taken action. What happened? The Minister said that a ban was illegal, but it was not illegal. A "temporary cessation" is different from the overall ban imposed by the European Union on our exports, including third-country exports, which I have called unjustified in press release after press release and in the House. I hope that the Minister will accept that.

Mr. Baldry: Methinks the hon. Gentleman doth protest too much.

Mr. Budgen: The hon. Member for Workington mentioned the correct way to deal with specified bovine offal. Will my hon. Friend confirm that there was no suspicion in 1994 that transmission might occur between cows and humans? If all the small abattoir owners had been chased ruthlessly and dictatorially by the Government, there would have been an enormous public outcry against the heavy hand of the Government. It is only now, with the benefit of hindsight, that we can see that some improvements can be made in the way in which abattoirs operate.

Mr. Baldry: My hon. Friend will know that both Opposition parties believe that they are gifted with the benefit of hindsight. They consider it to be one of their major attributes.

Mr. Malcolm Bruce *rose—*

Mr. Baldry: I shall give way to the hon. Gentleman because he was very kind when I visited my aunt recently.

Mr. Bruce: She lives in a fine constituency. Does not the Minister acknowledge that farmers and their representatives have demanded for several years that the Government set up a selective cull scheme to eliminate BSE from the system but that the Government refused to do so? As many as four, six and eight weeks after the ban was imposed, the Government made no detailed proposals for a selective slaughter policy that the Commission could evaluate, in spite of consistent pleas from Commission officials that they do so. That is why we lack confidence in the Minister's boss.

Mr. Baldry: The hon. Gentleman knows that the incidence of BSE peaked in animals born in 1988-89 before the introduction of the ban on mammalian foodstuffs. Since then, as the charts in the blue book show, it has dropped remarkably. What does the hon. Member think has been happening to BSE-infected cattle? Of course they have been culled and slaughtered.

[Mr. Baldry]

The slaughtering has been going on for some time and it reached a peak of 40,000 at the height of the incidence of BSE.

The Labour party has behaved like startled rabbits. It does not know which way to run. First, the shadow Foreign Secretary attacked the Government for overreacting to the beef ban, and called on us to abandon non-co-operation. Two weeks later, he was back on our television screens attacking the Government for not going far enough. In the meantime, the Labour leader was in Germany reassuring Chancellor Kohl that, under a Labour Government, Britain would be a pushover. I am glad that the right hon. Member for Sedgefield (Mr. Blair) manages the Labour party and not the England football team. In the House, he claimed to support our policy of non-co-operation because he did not have the guts to criticise it. In Germany, he criticised British foreign policy because he did not have the guts to defend it. He has spent half his time claiming that we have been too hard in our relations with Europe and the other half claiming that we have been too soft. No wonder a senior spokesman for the German Chancellor stated that he would prefer to deal with the Leader of the Opposition, because he would have been more accommodating to German interests. Throughout recent weeks, the Liberal and Labour parties have failed to say what they would have done in the circumstances. The hon. Member for North Cornwall was provided with several opportunities to do so this afternoon, but failed.

The fact is—and the Labour and Liberal parties cannot bring themselves to admit it—that non-co-operation has worked. When my right hon. Friend the Prime Minister made his announcement to the House on 21 May, he said that two specific goals had to be achieved before we would suspend our policy of non-co-operation: first, that the ban on beef derivatives had to be lifted and, secondly, that a clear framework leading to the lifting of the wider ban had to be agreed.

The first objective was achieved on 10 June when the ban on beef derivatives was lifted. The second—a clear framework—was achieved at the European Council in Florence last week. Both objectives were achieved in precisely one month. I have no doubt that, without our policy of non-co-operation, we would not be where we are today.

We now have a framework that sets out clear steps for lifting the ban in stages. The Florence conclusions make it clear that decisions on each stage will be taken

"only and exclusively on the basis of public health and objective scientific criteria and of the judgment of the Commission".

That is what we have been asking for all along.

The framework document agreed at Florence provides a number of preconditions that have to be met before steps within the framework can be considered. The preconditions comprise the implementation of a selective slaughter programme to be approved by the Commission under the standing veterinary procedure—that approval has already been given unanimously to the UK plan, amended to include voluntary slaughter of the 1989-90 generation; the introduction of an effective animal identification and movement recording system with official registration; legislation for the removal of meat and bonemeal from the feed mills and farms and subsequent cleaning of the premises and equipment; the confirmation of implementation of the over 30-month scheme; and, finally, improved methods for removing specified bovine material from carcases.

The framework also provides for the Commission, with the member states, to inspect and to confirm that effective action has been taken on all those steps.

Mr. Marlow: My hon. Friend has mentioned the requirement for the United Kingdom to be more careful about the removal of SBOs from carcases. He will be aware that recently much publicity was given to the fact that a large proportion of British bonemeal went to France and other continental countries and that has been fed to cattle in France. As I understand it, the SBOs are not being removed in France and other continental countries. Does that concern my hon. Friend? Is he concerned about the massive under-reporting that must have taken place, as the Prime Minister accepted today, in other continental countries, and what action will the Government take to secure the safety and security of beef in the United Kingdom should it come from continental sources?

Mr. Baldry: The controls to tackle BSE and to ensure proper regulation and hygiene in our abattoirs are self-evidently tougher and tighter than in practically any other member state in the EU.

Mr. Tam Dalyell (Linlithgow): On 4 June, the Parliamentary Secretary wrote to Lord Marlesford about the ruminant feed ban. This is relevant to my question. She said:

"The main step to protect animal health was the introduction of the 'ruminant feed ban' in 1988. This prohibited the feeding of cattle with ruminant protein, the source of BSE infection. This ban has greatly reduced the number of BSE cases that have occurred. However,"—

this is the point of my question—

"it has unfortunately not been totally effective, probably due to cross-contamination of ruminant feed with meat and bone meal from other animal feeds, both in feed mills and on farms."

Is it now considered that the ban is totally effective? Is that still a problem? That point concerns the industry very much.

Mr. Baldry: It is because there has been concern about the total effectiveness of the feed ban that we are, as I shall explain to the House, introducing a feed recall scheme. As from 1 August, it will be a criminal offence and illegal for farms, merchants and feed mills to have meat and bonemeal on their premises.

Action is already in hand in relation to all the preconditions that we need to meet to get the export ban lifted. The cattle passport system will be introduced next week. As from 1 July, it will be compulsory for all cattle, born here or imported, to have a passport. We shall develop the system further to require compulsory double tagging in the autumn and the introduction of fully computerised recording of all cattle movements shortly thereafter.

The recall scheme for meat and bonemeal has already begun; more than 5,000 farms, feed merchants and mills have contacted the Department and 8,000 tonnes of material have been registered for collection. The collection started yesterday and will run until 24 July.

As from 1 August, it will be illegal for farms, merchants and feed mills to have meat and bonemeal on the premises.

Since the scheme started, we have made significant inroads into the backlog of cattle over 30 months old waiting to be slaughtered.

Mr. William Cash (Stafford): In the light of what my hon. Friend has just said, will he assure the House that everything possible will be done to meet the problems faced by large dairy and beef farmers in my constituency as a result of the substantial backlog of animals still on farms but which, under the original proposals, must be shifted off the land? There is every need to move as quickly as possible on that. Will he also consider the question that I have raised with the Director General of Fair Trading regarding the stranglehold that many allege renderers have on the system, because that too is clogging up the arrangements that we want to improve?

Mr. Baldry: I am glad to say that so far about 170,000 cattle have been slaughtered under the over-30-month scheme. Nearly 30,000 cattle a week are now being processed, but at the outset the NFU and the Country Landowners Association agreed with Ministers that priority should be given to clean beef because concern was being expressed that clean beef farmers did not have the option of milk cheques and that their animals were getting fatter and heavier and needed to be processed. We have acted in accordance with that agreement.

As cold storage capacity increases, we shall increase the cull. Britain has a finite rendering capacity. We cannot invent and create more rendering capacity overnight, but we are ensuring that the scheme is operating properly and that there is no malpractice.

Mr. Garnier *rose—*

Mr. Nicholls *rose—*

Mr. Baldry: I shall give way to my hon. Friends in a moment.

All possible steps to increase the rate of slaughter are being taken, despite the limit on available rendering capacity. We are acquiring cold storage space to which bone-in meat from processed animals will be moved to free up rendering capacity and to allow it to deal principally with offal. More than 3,000 carcases of over-30-month scheme beef have been diverted into storage so far. Four cold stores—Paddock Wood, Avonmouth, Gaerwyn and Aberdeen—are being used and more will be available shortly. As a result, we expect to clear the backlog of about 200,000 animals by mid-October.

Mr. Garnier: My hon. Friend may think it rather strange that a Member of Parliament should ask a Minister for the steps that his Department is taking to be given wider publicity, but will he ensure that those steps are made widely known throughout the country so that those who have to face their consequences in order to eradicate BSE are made aware of what is going on? There is an information gap and it should be bridged. I invite my hon. Friend to ensure that it is.

Mr. Baldry: My hon. Friend makes an extremely good point. Ministers write regularly to farmers, we issue information and we meet representatives of the industry throughout Britain. Last week, I met farmers from Cheshire, Shropshire, Staffordshire and the north-west; today, I met farmers from Gloucestershire, Herefordshire and Worcestershire, and I shall shortly be in Oxford meeting farmers from the south-east. Over the next week or so the Parliamentary Secretary, my hon. Friend the Member for Tiverton (Mrs. Browning), will meet farmers in Wellingborough, Bristol, Yorkshire and Devon. During the next couple of weeks my hon. Friend the Minister for Rural Affairs will meet farmers in Essex, Cambridge, Norfolk, Loughborough, Grantham and Preston.

We are therefore seeking to get the maximum information to farmers, through personal contact, by listening to their views and by written communication.

Mr. Nicholls: Before my hon. Friend leaves this part of his speech, will he say something about the estimates of the increased number of animals that will have to be culled as a result of the Florence agreement? He will recall that the hon. Member for North Cornwall (Mr Tyler) quoted highly selectively from a letter from the NFU, which referred to a scheme that could embrace up to 150,000 cattle. If he could give some estimate of the extra numbers that might be involved, that would go a long way towards reassuring people about the general validity of the agreement that has been reached.

Mr. Baldry: The first point that it is important to make is that the scheme for the 1989 cohort year is voluntary. Farmers may voluntarily offer their records and their cattle under the accelerated slaughter scheme. The incentive for them to do so, as my right hon. and learned Friend and I made clear to the House last week, is that the rates of compensation under the accelerated selective cull will be significantly higher than under the over-30-month scheme. Cattle in the 1989-90 cohort will now be quite old, and so likely to come under that scheme.

We know which holdings had cases of BSE in 1991, 1992 and 1993—they are recorded on computer. As soon as we have authority from the House to start the scheme, veterinary officers will be able to visit all those holdings to check their records on the calving cohort of cattle with BSE. We shall then, as speedily as possible, contact the farmers who now have those cattle, if they are still alive, in order that they may be dealt with.

Much disservice has been done by the way in which the Opposition and some of the media have sought to bandy figures on the selective cull, many of which have been speculative and many of which have been mischief-making. In my discussions with the NFU and the CLA this week, they recognised with regret that some in Europe are determined to see Britain do more to "eradicate" BSE, and that that is an essential prerequisite of raising the export ban. They are determined to work constructively with the Government—as we are determined to work constructively with the farming community—to ensure that the selective cull is a success, and that the least possible disruption is caused to farmers.

Mr. Budgen: May I assist my hon. Friend in the process of informing farmers? If the backlog will not be

[Mr. Budgen]

cleared until October, presumably the new cattle involved in the selective cull cannot be selected for slaughter until November at the earliest.

Mr. Baldry: I hope that we shall be able to produce a consultation paper on the scheme next week. We shall then have to consider the orders that we would need to present to the House. There will need to be a certain amount of record checking and talking to farmers. Some farmers may have no cattle for the scheme, or just one or two, while others may have considerably more. We shall need to discuss the most effective way of bringing their cattle into the scheme. I would expect slaughtering under this scheme to start in September, but, in addition to the abattoirs and renderers being used for the over-30-month scheme, we have 12 registered BSE incinerators, which are currently being used to deal with casualty stock—largely with the backlog of casualty stock involved in the over-30-month scheme. Our capacity is becoming free, and I anticipate spare capacity in those incinerators in the earlier part of the scheme to deal with the selective cull until we embark on moves to eliminate the entire backlog.

Mr. Matthew Taylor *rose—*

Mr. Lord *rose—*

Mr. Tyler *rose—*

Mr. Baldry: I am conscious of Madam Speaker's ruling that after 6 pm speeches are limited to 10 minutes, and I feel that I should make some progress.

Mr. Taylor *rose—*

Mr. Lord *rose—*

Mr. Baldry: I am going to make some progress with my speech.

Mr. Deputy Speaker: For the avoidance of doubt, let me inform the Minister that the 10-minute rule takes effect at 7 pm.

Mr. Tyler: Will the Minister give way?

Mr. Baldry: Let me make some progress; then, given the liberal attitude of the Chair, I shall give way.

The accelerated slaughter scheme is obviously at an early stage. This week ministerial colleagues and I have met representatives of the farming industry from throughout the United Kingdom to discuss the details. Officials will meet them again this week with a view to putting together a package in the next few days—particularly on compensation, which I suspect is of real concern to farmers—so that we can go out to formal consultation as speedily as possible. I have also been meeting and talking to farmers up and down the country about the scheme, and fully appreciate that many of them are worried about its possible impact on their herds. I am determined that we will introduce it in a way that maximises the impact in cutting BSE cases, and minimises the problems for farmers.

I estimate that the selective cull will affect about 5 per cent. of the national dairy herd. Many dairy farmers will have just one or two cattle involved, if any, but some, sadly, will have many more. I am determined that the compensation for all farmers will be fair, and that no effort will be spared in ensuring the minimum disruption to farm holdings.

We have already tightened up on the removal of specified bovine offal, and provided the Meat Hygiene Service with an extra £39 million to recruit 300 extra staff, many of whom are already in post and undergoing training. The next step in the process is the staged removal of the export ban. The Commission document identifies five such stages.

Mr. Matthew Taylor: The Minister was kind enough to meet me earlier today to discuss some of the problems involved in the 30-month scheme in Cornwall. Those problems continue. Owing to the geography of the county, farmers find it difficult to go far to sell their cattle, and they can go in only one direction. I understand that last week as few as 200 to 300 cattle from the county may have gone for slaughter, because some were being brought in from outside and it was not possible to get them out. Will the Minister consider that problem?

Mr. Baldry: Thirty thousand cattle are being slaughtered every week under the scheme. They are being drawn from all over the country, and there are abattoirs all over the country. Indeed, one of the abattoirs involved in the scheme is in the hon. Gentleman's constituency, and has a sizeable allocation. If there is a particular problem with the cattle being sent to that abattoir, I shall of course look into it, but clearly the maximum throughput is being achieved day by day and week by week, and the backlog is being eroded steadily. As I have said, we expect it to be eliminated by the end of September or early October. Clearly, however, we cannot slaughter every cow—including beef cattle—today and tomorrow. It will take some weeks, but the maximum slaughter is going ahead.

Mr. Tyler: I appreciate the difficulty of forecasting developments, and I accept that the Minister expects the backlog to be eroded by the end of September. Will he confirm, however, that last week his right hon. Friend the Minister of Agriculture acknowledged to the Select Committee that the total extra selective cull could involve some 150,000 cattle? Given the figure of 30,000 a week, that is quite a long process to add to the existing cull. When does the Minister expect the full cull to be completed?

Mr. Baldry: The hon. Gentleman has missed an essential point. Because we are introducing cold storage and other facilities, we are increasing the slaughter rate considerably. By the time the backlog on the over-30-month scheme has been eliminated, we shall have more than sufficient capacity to deal with that scheme in addition to the selective cull. I hope that we shall be able to deal with the selective cull, from the time we start slaughtering under the accelerated and selective cull until the time we finish, in between six and nine months.

Mr. Lord: May I ask my hon. Friend not to overlook Suffolk? I am not sure whether he included it in the list

that he gave. Although Suffolk is primarily seen as an arable county, we have cattle as well. I received two letters just today—one from a dairy farmer with a big herd who has not yet managed to get rid of a single animal and wonders when he will be able to, and the other from a man who produces prime beef and wonders whether he will be compensated for the drop in the value of his animals.

Mr. Baldry: My hon. and learned Friend the Member for Harborough (Mr. Garnier) made an extremely good point, saying that he hoped that the Government would do all that they could to publicise the steps that they were taking. I sometimes wish that the farming industry would take some steps to advise its members of some of the agreements that it has reached with Government. One of the agreements that the NFU and the CLA reached with Government was that priority for the over-30-month scheme should be given to clean beef. They agreed a ratio of at least three clean beef cattle to every cull cow. That inevitably meant that, in the earlier parts of the scheme, priority would be given to clean beef in the slaughterhouses. Of course, those such as my hon. Friend's constituents who primarily have cull cows that they want to be slaughtered must take their turn, which is extremely frustrating. In a moment I shall go into the details of intervention, and the help needed by producers of beef cattle aged over 30 months.

Mr. Christopher Gill (Ludlow): Further to the answer that my hon. Friend just gave to my hon. Friend the Member for Central Suffolk (Mr. Lord), will he give careful consideration to the marketers of clean heifers, who are now finding it very hard to get them into abattoirs because of the difficulty of proving their age? Abattoirs prefer to take steers, whose cattle identification documents give proof of age.

Mr. Baldry: There is clearly a problem. We have given clear advice to abattoirs about how they should approach the issue of heifers coming into the scheme, and, as I have made clear to the industry, we are keen for as few heifers as possible to be rejected after slaughter. Rejection would mean that the farmer concerned would receive no compensation, which strikes me as very hard. If any hon. Member has details of an abattoir where there have been particular problems with heifers, I should like to know about it. We have given abattoirs detailed guidance, and I thought that we had resolved the issue.

The next step is the removal of the export ban, and the Commission document identifies five stages to achieve that. They relate to embryos, on which we expect the Scientific Veterinary Committee to make recommendations by October; animals born after a specific date and their meat; animals and meat from certified herds without a history of BSE or exposure to meat and bonemeal; meat from other animals under 30 months of age; and in the longer term, meat from all older animals.

My right hon. Friend the Prime Minister made it clear yesterday that we would expect to be in a position to tell the Commission by October that we have met the necessary conditions for decisions to lift the ban on two of the five stages—certified herds, and animals born after a specified date and their meat. Removal of the ban on those two categories will reopen to our industry an export market worth initially about £100 million a year, and its value will increase rapidly thereafter as the certified herd scheme gains momentum. By October, we also expect a Commission proposal on a third stage—embryos—subject to the scientists giving them a clean bill of health. We should have met the conditions necessary for a decision to lift the ban on the fourth stage—meat from all animals under 30 months—by November.

Securing agreement on those steps will restore the position of beef exports to that before 27 March, except in the areas where we have prohibited sale in the UK. In other words, we would be in a position of being able to sell for export to the European Union young animals and all the beef that could then be sold in the UK. That would open the way for exports worth some £530 million per year.

To achieve that, we must first present a working paper to the Commission, setting out the specific criteria and indicators for each stage. The Commission will submit that paper to its Scientific Veterinary Committee for advice and to the newly created multi-disciplinary scientific committee and, where appropriate, to other relevant scientific committees. At the same time, the paper will be discussed by the Standing Veterinary Committee. In the light of those discussions, the Commission will take a decision in accordance with the established procedure, by presenting a draft decision to the Standing Veterinary Committee. The Commission will subsequently fix the date when exports can effectively resume, following a successful outcome of a Community inspection. That approach follows the model of the decision already adopted for resuming exports of gelatin and tallow, for which we are already drawing up the arrangements to allow trade to restart.

The timetable is ambitious and will clearly require Government and the industry to work hard together to achieve the early lifting of the ban, but the timetable is in our hands. When we have met the conditions, the normal procedures for such decisions, involving the Standing Veterinary Committee in particular, will apply—but we have the firm commitment from all Heads of Government in Florence that those decisions will be taken only on the basis of scientific and objective criteria.

I fully recognise the fact that despite the measures that have been taken, the beef market here and elsewhere in the EU remains depressed. Beef producers have lost and are losing substantial sums of money on cattle marketed under those conditions. We must give continual attention to what we can do to assist farmers with under 30-month-old beef who are selling into the retail market, but at prices markedly lower than this time last year. In recognition of that, the European Commission has proposed that £527 million should be made available for support measures in the beef sector. Part of that sum would fund increases of the suckler cow premium and beef special premium, on the basis of claims made in 1995. The proposed increases are £21.41 per head for suckler cows and £17.98 per head for male cattle. It is proposed also that the remainder of the sum available should be used to fund national aid measures to support the beef sector.

At the European Council in Florence, Heads of Government agreed that the sum of money available for the package should be increased to £689 million. My right hon. and learned Friend the Minister of Agriculture is currently discussing the final shape of the package in

[Mr. Baldry]

Luxembourg, and I hope that agreement can be reached quickly. If top-up payments under the premium schemes are agreed this week, we should be able to make payment to eligible producers from mid-July onwards.

Mr. Lord: Provided that producers can present proof of sale, will any of those payments be retrospective?

Mr. Baldry: We must consider that issue. If we had a retrospective scheme, could we fairly apply it because of the difficulties of proof of sale? I certainly want to help clean beef producers, who have clearly suffered losses. Those producers who have sold since 20 March have tended to sell because they were compelled to do so—either for lack of grass or lack of cash.

The principal market support mechanism in the beef sector is intervention—the only mechanism that we have to support the market in beef from animals under 30 months of age. We have worked hard to make intervention more accessible to and more effective for UK operators. We have persuaded the Commission to widen the coverage for steers from two carcase classes to six and, for the first time, young bulls have been included. As a result, current UK intervention coverage, expressed as a percentage of total annual saleable production, has increased to about 47 per cent. As a consequence of these changes, since the end of March bids for some 17,829 tonnes of UK beef have been accepted. In the most recent tenders, quantities bid for by operators in other member states have been significantly cut by the Commission and the beef management committee but UK bids have been allowed to stand, in recognition of the fact that UK market prices are the lowest in the EU.

Sir Roger Moate (Faversham): I am glad that my hon. Friend has mentioned the support measures for clean beef. It is critical that the industry does not continue to incur its present heavy losses. As the moneys that my hon. Friend mentioned are specifically allocated to each nation, they are precisely capped. How much of the £680 million will be available to the United Kingdom to support beef prices?

Mr. Baldry: Under the first part of the scheme, the UK's share of the £527 million is £13.96 million. There is additional money for further national aid. It will be sensible to wait to see what emerges from the Council meeting in terms of the total package to assist UK clean beef producers and any further assistance that we can give them. We must ensure that the intervention system works as effectively as possible.

The system is still not ideally suited to UK operators—not least because it fails to take sufficient account of the costs that slaughterers face in disposing of the so-called fifth quarter. Fifth quarter returns depended crucially on their being a market for meat, bonemeal and red offals. Those markets have effectively been removed, in part by the prohibition on the use of mammalian protein in animal feed in the UK, and in part by the imposition of the EU export ban, which has greatly reduced the demand for offal. As such, slaughterers face additional costs in disposing of unsaleable produce. Those costs are not taken into account in the so-called processor's margin allowed for in the calculation of maximum acceptable bids under the rules for intervention tenders. We have pressed the Commission hard on that aspect and will continue to press it hard to devise a proposal to increase the margin to reflect more nearly the actual costs faced by the industry. We are determined to do all that we can to help the under-30-month clean beef producer.

Mr. Barry Field (Isle of Wight): When can farmers expect feed that described its ingredients? That matter is of great concern to my farmers.

Mr. Baldry: Discussions about feed descriptions are continuing with the industry. Every farmer in the country should know full well that there is no justification or excuse—there has not been for some time—for having feed containing mammalian meat and bonemeal on his farm. An effective recall system is now in operation, and from 1 August it will be a criminal offence to possess such feed.

We have a lot to do in a short time to meet the conditions necessary to enable European Union and world markets to be fully open again, but much has been achieved in the past few days. We shall go on doing everything possible to protect public health, restore consumer confidence and secure the interests of the British beef industry. Our overriding aim remains, as it has been from the start, the eradication of BSE from Britain.

6.19 pm

Dr. Gavin Strang (Edinburgh, East): BSE has been a problem in the United Kingdom for more than a decade. The first cases of this terrible disease are believed by Government scientists to have emerged by 1985 and the disease was officially identified in 1986.

We are still not sure that CJD can be caused by eating beef or beef products containing the BSE agent, but the possibility has always been recognised. In 1989, the Government's Southwood committee advised that the risk of transmission of BSE to humans appeared remote, but could not be ruled out entirely. On 20 March this year, the Secretary of State for Health reported to the House that the Spongiform Encephalopathy Advisory Committee had advised the Government that BSE was "the most likely explanation" for an apparently new form of CJD.

I submit to the House that at least four lessons can be learnt from our BSE experience. First, once a possible public health problem is identified, there must be the political will to tackle it. For many years, the Government clearly did not have the political will to protect the public from the possible risk from BSE. That can be the only explanation for their dreadful record of under-regulation and under-enforcement.

The second lesson is that there must be scientific research to tell us what is happening, to identify the nature of the threat and to design ways of combating it. In the debate which I opened for the Opposition the week before last, we dealt with the question of the Government's proposals, even at this stage, to privatise the research being carried out on BSE. Under the prior options review, as hon. Members will be aware, the Institute of Animal Health, which includes the neuropathogenesis unit, is a candidate for privatisation.

As I also pointed out in the debate, on the very day the Secretary of State announced the issue and the crisis started, the Institute of Animal Health announced a loss

of 60 jobs. In 1982, the institute employed 842 people: it now employs 489 people, more than 40 per cent. of whom are on temporary appointments.

Of course, Ministers were repeatedly saying that expenditure on BSE research had been increased. Of course it has been increased—it has been increased substantially—but it would be hard to avoid that when BSE was only identified in 1986. The crucial point is that the increase in research on BSE, CJD and other related issues has taken place against the background of huge cuts in Government-funded agriculture and food research. If the Government survive until May next year, I have calculated that they will have almost halved the number of scientists funded by the Government in food and agriculture research. They have already cut the numbers by more than 40 per cent.

The third lesson is that there must be regulation to protect the public. The House is aware of the Government's record of delay in regulating to protect human and animal health from BSE. There was a 20-month delay after identifying BSE before farmers had to destroy all suspect BSE cases. There was a delay of two and a half years before the Government said in June 1989 that they planned to ban the most infective offal from human food. Another seven-month delay followed before that was fully implemented throughout the UK and farmers were not fully compensated for slaughtering BSE cattle until February 1990. The Government have admitted that under-compensation for the previous 18 months deterred farmers from declaring suspect cases.

The fourth lesson is that regulations to protect our health must be properly enforced. The House will remember the Government's appalling record on enforcing BSE control regulations. In September 1995, 48 per cent. of slaughterhouses visited were found to be in breach of BSE controls designed to keep infective offal from human food.

Mr. Budgen: Does the hon. Gentleman recall that, during that time, there were frequent recollections by hon. Members on both sides of the House that the regulations should not be stringently enforced against those abattoirs that were having to come to terms with new European regulations? If they had been stringently enforced, there would have been a frightful row from all the abattoir owners.

Dr. Strang: I am not sure whether we are on the same wavelength. Is the hon. Gentleman really suggesting that hon. Members were advocating that the slaughterhouses should not implement the regulations or that there should be some laxity in relation to implementing the measures to keep specified bovine material out of human food, given the possible link with CJD? I hardly believe that hon. Members on either side of the House seriously advocated that.

This March, 4 per cent. of slaughterhouses and 17 per cent. of rendering plants visited were still in breach of the controls. In February and March this year, eight feedmills were found to be in breach of the mammalian protein ban to keep BSE out of cattle feed.

Over the years, I have warned the House about the implications of the cuts made in the number of public servants responsible for keeping our food safe. I welcome the fact that the Government have increased the number of meat inspectors—the Minister referred to that. The inspectors are important. However, as well as the inspectors, I submit that the state veterinary service is in the front line. I have to remind the House that the number of vets employed by the state veterinary service has fallen by about one third since 1979. I hope that the Government will say something positive about how they intend to rebuild that service.

Someone said to me, "Save the state veterinary service." That may be an exaggeration, but it strikes me that Ministers keep referring to additional resources for meat inspectors, which we welcome, but there is never any statement about additional resources for the state veterinary service. I hope that there will be some response on that.

This is not a matter of being wise after the event. The Minister used the word "hindsight". Much as Ministers would like to say so, that is not the case. By May 1989, the Labour party had realised that it was vital to ban cattle offal from human food, to compensate farmers fully for slaughtered BSE cattle and to ban the export of meat and bonemeal for cattle feed. Of course, by then we all accepted the need to prevent ruminant protein from getting into cattle feed. All these things are on the record. We called on the Government to halt the export of meat and bonemeal to other countries. I refer to that because of the publicity that has surrounded the issue in the past couple of weeks.

In 1990—again this is on the parliamentary record—we called for a tagging system for all calves to be introduced in Great Britain. We knew that traceability would be key to tackling the problem. Indeed, we would have liked to see the system that operates in Northern Ireland implemented throughout the United Kingdom. Northern Ireland is in a special situation because it has an excellent traceability system, but it has been hammered as a result of the BSE crisis. What a transformation there would have been if we had had that traceability system throughout the entire United Kingdom, not just in Northern Ireland.

Full confidence in beef will be restored only when all measures necessary to keep the BSE agent out of our food are properly in place and enforced. The Labour party has set out proposals to restore confidence in the safety of beef, to keep the BSE agent out of our food, to improve the epidemiology of BSE, to increase consumer awareness and to improve the role of Government.

Mr. Nicholas Baker (North Dorset): I disagree with some of the lessons that the hon. Gentleman mentioned. He has, however, left out one important lesson that has been learnt, with which I think he would agree because he has observed it himself—the need not to rouse hysteria by violent and wild political pronouncements. He has avoided doing that in a way that the hon. Member for Peckham (Ms Harman) has not. The county council banned beef in school meals, based on no scientific evidence, although it undid the ban six weeks later. The council was Liberal Democrat controlled, of course. The ban created hysteria in Dorset, and it did incredible damage to the beef industry. Will the hon. Gentleman now say that he denounces all such pronouncements, and that that is an important lesson to have learnt?

Dr. Strang: No; I do not think that the hon. Gentleman expects me to do so. Certainly he cannot seriously suggest

[Dr. Strang]

that my hon. Friend the Member for Peckham was not reflecting the very great concern at that time. I noted that, a month or so ago, even the Minister for Agriculture, Food and Forestry in the Republic of Ireland referred in the press to how the Government were handling the crisis, the announcement on 20 March and the delay before a second announcement was made.

I agree with the hon. Member for North Dorset (Mr. Baker) to this extent: it is incumbent on us to avoid unnecessary elevation of the risk and to avoid encouraging people to lose perspective. We will accomplish that by telling the truth and not by pretending that there is not an issue, because there is a very real issue.

We have always made it clear that the Government were absolutely right to come to the House of Commons to report the new information from scientists on this apparently new form of CJD. It is too early to say how many more new cases there will be of this new form of CJD, but—I say it again—even if the cases increase, we still will not know by any means whether that was caused by eating contaminated beef or beef products in the late 1980s and early 1990s.

My view is that we must tell it to the people straight. They will understand. The measures in place to keep the organs—brain, spinal cord and specified bovine material—out of the food chain is the real protection, which is in addition, as everyone knows, to slaughtering animals that show symptoms. That is the important protection, as hon. Members have already said in the House, which is why hon. Members express doubts—to put it mildly—about the two slaughter programmes.

I should like to mention some of the proposals that we have made. Opposition Members have been very constructive on this issue, and we have repeatedly made constructive suggestions, some of which the Government have taken up.

First, in the long term, we believe that there should be an independent food standards agency, the purpose of which would be to ensure the safety of our food. It would be a consumer agency, and everything it recommended and all its decisions would be entirely public. It would be answerable to the Secretary of State for Health and to the Minister of Agriculture, Fisheries and Food. It would be proactive and it would draw potential risks to the attention of the Government, the public and all interested parties.

We say that in future—it will take time—there is a role for such an agency to ensure that we re-establish our reputation for the highest quality and safest food in Europe. Sadly, BSE has tarnished that reputation, and the tarnish affects not just beef, as hon. Members are aware.

The second point, too, is wholly constructive. Indeed, the more I read the documentation from Florence, the more I am absolutely convinced of the rightness of such an approach. We should have an investigation—which, as I have already said, will take only about two or three months—into why so much contaminated feed reached cattle after the ban was imposed in 1988. Two thirds of new BSE cases occur in animals that were born after the imposition of the feed ban in 1988. If we are about tackling the problem at source, we should address that fact.

If we are about a further slaughter programme, which the Minister has acknowledged we are, I submit that it may be—I put it no higher—that a proper inquiry, particularly in Northern Ireland, with its ability to trace, is necessary to discover which mills were offending, which farms received the feed and, therefore, which animals were most at risk. For the life of me, I cannot understand why Ministers have turned their backs on that possibility and persisted with an approach that emphasises numbers. There could now be up to 150,000 cattle in the second slaughter programme.

Mr. Budgen: Will the hon. Gentleman give way?

Dr. Strang: This will be the last time, because other hon. Members want to speak.

Mr. Budgen: The hon. Gentleman has mentioned a large number of proposals, which he says that the Labour party wanted to be put in place before anyone knew that there was any risk of transmission to humans. It is all very well being wise after the event, but perhaps he will tell us how much all that would have cost.

Dr. Strang: The hon. Gentleman makes an important point, which occurred to me as I read the coverage in some of the broadsheet newspapers over the weekend. The risk of a link between BSE and CJD existed from the moment we identified BSE.

Sir Jerry Wiggin (Weston-super-Mare) *indicated assent.*

Dr. Strang: I am grateful to the Chairman of the Select Committee for agreeing.

The Southwood committee report said that there was a possibility of such a risk, although it was remote. So the risk was always there. If we had implemented the measures—even if the Government had implemented their own measures effectively, particularly the feed ban—we would not be in our current position, spending billions of pounds tackling the crisis.

Remember that the general position—the Government's position, the Opposition's position and the European position—is that the main, if not the sole, cause of BSE in our cattle is contaminated ruminant protein. Obviously we will need to see the result of the maternal transmission experiment. There may be some maternal transmission, but if there is, it is expected to be very minor. I hope that that experiment will be allowed to be concluded with a proper, published analysis.

Support for quality assurance schemes is one of our eight points. We are moving on now to the question of certified herds, which is a very important matter, as the Minister appreciates. There is great frustration in the industry that certification is still not in place 10 weeks after it was promised. Will the criteria for exemption from the 30-month scheme be the same as those for certification to export, once the European Union agrees relaxation of the ban? I hope that the Minister will answer that question when she replies.

I should now like to deal with the motion and the amendment on the Order Paper. Many criticisms can be made of the Government's handling of the current BSE crisis, and Opposition Members have made them clearly in the House. After the statement on the new evidence of a possible BSE-CJD link, on 20 March, the Agriculture Minister told the House:

"I do not believe that this information should damage consumer confidence and thus the beef market."—[*Official Report*, 20 March 1996; Vol. 274, c. 387.]

There was no strategy whatsoever, and rural areas will be paying for that appalling misjudgment for a long time. As bits of policy finally emerged, they were dogged by chaos. Nowhere was that chaos more apparent than in the 30-month slaughter scheme.

Whatever criticisms we may have of the handling of the BSE crisis by the current Agriculture Minister, I do not want to encourage the hope held by some Conservative Members that sacking the Minister will in some way eliminate the Government's culpability for their terrible failure for so many years to tackle BSE effectively. Indeed, if we are to get into the business of sacking Cabinet members, we should consider sacking former Agriculture Ministers, who presided over dreadful delays and under-enforcement since BSE was identified in 1986. That would of course mean saying goodbye to the Secretary of State for the Environment, the Secretary of State for Education and Employment and the Chief Secretary to the Treasury, who are all former Agriculture Ministers. BSE and CJD are crucial matters of public health. Past and present Secretaries of State for Health were involved in the neglect of the duties of Government. Perhaps we should say farewell to the Chancellor of the Exchequer, the Secretary of State for National Heritage and the present Secretary of State for Health.

The Government amendment will not cut much ice with the beef and dairy industries or with our rural communities. Hon. Members who have contact with those industries or who represent rural constituencies are aware of the scale of the damage and the scale of the losses. It is true that large amounts are now going into providing some support and compensation, but they are not compensating fully for the losses. They are not compensating for the fall in the price of beef animals or for all the lost jobs in transport and other specialist aspects of the industry. It is a disaster and the House knows that. Thousands of jobs have been lost and livelihoods are at stake; that is what confronts us. I do not see any acknowledgement of that in the Government amendment.

There are very real issues to be addressed; the Minister set out the position. In their amendment, the Government boast that they have brought back from the Florence summit a "clear framework". They have done nothing of the sort: they have no timetable and no guarantee from their European counterparts of any future agreement on any of the proposed steps in the lifting of the ban.

I take exception to the Minister's criticism of my right hon. Friend the Leader of the Opposition. The fact is that my right hon. Friend set out the position yesterday and the Prime Minister was unable to answer his criticisms. The reality is clear. We have agreed to implement a number of measures, including the commencement—I emphasise that it is the commencement and not the completion—of the second slaughter programme, the selective slaughter programme. Once we have all the measures in place, consideration will be given, following a submission from the Government, to lifting one step of the ban.

As has been pointed out repeatedly, that consideration will be on the basis of a Commission decision and a decision of the Standing Veterinary Committee, which has caused problems in the past. We must also recognise that there is an unfortunate discrepancy—the Minister knows more of the inside story than I do—between the attitude of the Standing Veterinary Committee and the attitude of the Scientific Veterinary Committee. We have made some criticisms of the way in which the matter was handled by the Standing Veterinary Committee; that is why there is no guarantee even of the first step. The Prime Minister put forward an ambitious series of proposed steps, to which the Minister referred today. However, there is no guarantee and that is why my right hon. Friend the Leader of the Opposition was right in his judgment.

As the national interest had been invoked, the Labour party promised not to undermine the Prime Minister's non-co-operation strategy, but at no stage did we give a blank cheque. We must judge the strategy by its results and it can only be judged a failure.

6.43 pm

Sir Hector Monro (Dumfries): I share the view of my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) that it was entirely inappropriate for the Liberal Democrats to table a motion of censure against the Minister of Agriculture, Fisheries and Food because he is not able to be here to defend himself. It is wrong to attack an hon. Member behind his back. [HON. MEMBERS: "Rubbish."] It is typical of Liberal Democrat Members to say "Rubbish"; they never listen to argument. They know perfectly well why my right hon. and learned Friend is in Luxembourg. He is attending the Agriculture Council and could not be here to speak. He has, however, been defended admirably by my hon. Friend the Minister.

I have been lucky enough to have two Adjournment debates on the matter in the Scottish Grand Committee. I have tabled questions and I have asked the Prime Minister and other Ministers questions after statements. I warmly support the Government in what they have done over the past three months; I include in that comment, of course, my right hon. and learned Friend the Minister of Agriculture and my right hon. Friend the Secretary of State for Scotland. I am pleased that we have had the support and help, through restraint, of the National Farmers Unions of all the countries involved.

Yet I, along with all my hon. Friends, have expressed concern about the whole industry—the food chain—as well as about the farmers themselves. We should not concentrate on the past, as the hon. Members for Edinburgh, East (Dr. Strang) and for North Cornwall (Mr. Tyler) have done—we should think about the present and the future. The only point on which I agree with the hon. Member for Edinburgh, East is the need for scientists to try to find a live test for BSE. That will require immense scientific effort, but it will be well worth the money if we can find a solution.

We must try, as I said yesterday to the Prime Minister, to get the beef argument off the front pages of the newspapers and to restore confidence among consumers. We have set the process in train; we have the framework in place following the success of the Prime Minister's trip to Florence. We would not have had that success if my right hon. Friend had not taken a firm stance. He stood up and made our European friends concentrate their minds on what was before them. They had the whole of April and May in which to come to a solution and they did not even begin to answer the questions until the Prime Minister put it to them bluntly that they had to concentrate their minds and come to a decision. We now have action and a framework for bringing beef back into the export market.

[Sir Hector Monro]

In Scotland, we have had, fortunately, a lower level of BSE. If it had not been for the outbreak in March, we would have eliminated BSE in two or three years. We now have hundreds rather than thousands of cases. If we work hard at the problem, we can eliminate BSE in Scotland relatively soon. As my hon. Friend the Minister said, we must therefore see a rapid implementation of the policy laid down by the Government, so that our exports to Europe will be acceptable to our European partners.

Mr. Gordon Prentice (Pendle): Will the right hon. Gentleman give way?

Mr. Jon Owen Jones (Cardiff, Central): Will the right hon. Gentleman give way?

Dame Elaine Kellett-Bowman (Lancaster): Do not give way to that stupid man.

Mr. Prentice: Which stupid man is the hon. Lady talking about?

Madam Deputy Speaker (Dame Janet Fookes): Order. I hope that we can retain high standards.

Mr. Jones: I will not follow the hon. Member for Lancaster (Dame E. Kellett-Bowman) down the road of abuse. I thank the right hon. Member for Dumfries (Sir H. Monro) for giving way to me.

The right hon. Gentleman has mentioned our export market. What assessment has he made of the market position of British beef in Europe, given that the Europeans are apparently not able to sell their own meat at the moment? Does he think that our exporters will have any difficulty in selling British beef when we get to the end of the process that the Prime Minister has so successfully, as he says, negotiated?

Sir Hector Monro: I apologise to the hon. Gentleman. I was overtaken by my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman). If the beef issue is to be resolved, there will have to be many changes. I expect that there will be a change in attitude to beef in the coming months when the crisis has settled down and Britain is once again allowed to export to the continent. The Germans will then realise that the scare is over and the market there will pick up, as it will in France, Italy and elsewhere. Hopefully, by the end of the year there will be a change in the attitude towards beef in Europe. It is no use being defensive about British beef; we have to sell it to our customers in Britain and on the continent.

Mr. Prentice: Was it right for Britain to export contaminated feed to the continent after it had been banned here?

Sir Hector Monro: No, of course that should not have been done. That was a mistake by the industry and there was no excuse for it. However, that does not mean that we should not raise eyebrows over what happened to contaminated feed on the continent and what happened to all the cattle in France that ate it. That is another matter.

It is important that everything is spelt out to the farming industry in great detail and as soon as possible. There is no doubt that anyone involved in a crisis—whatever the subject—wants information. People want to know what the score is, what steps they can take and what the alternatives are. MAFF has sent letters to farmers. I suggested to my right hon. Friend the Secretary of State for Scotland that a weekly newsletter should be sent to farmers setting out all the alternatives that are in the pipeline. That has been helpful, but the information needs to be extremely accurate and up to date, as has been demonstrated by the problems that have occurred in my constituency, which I shall relate to the House.

I was glad to hear from my hon. Friend the Minister of State that we have now slaughtered 170,000 cattle—it is sad, but it shows that the scheme is well under way—and that he is keen to set up an identification and recording system. Perhaps in her reply to the debate, my hon. Friend the Parliamentary Secretary will be able to give us some idea as to how the herd-by-herd scheme will work, as I am worried that it will be particularly difficult.

Perhaps my hon. Friend will also address the points that have been made in the press about grass-fed herds. Does that mean what it says—that the cattle are really fed only on grass? That is extremely unlikely, particularly in less-favoured areas where a feed supplement has to be given in winter, so it cannot be claimed that the beasts are fattened solely on grass. I hope that we will hear more about slow-maturing cattle such as Galloways and Highlanders, as it is unlikely that they can be fattened in 30 months.

I was glad that my hon. Friend the Minister admitted that the finishers of cattle—those selling prime beef under 30 months old—have been hit harder than anyone. They lost about £50 per head of cattle in the Christmas scare. The spring crisis has now cost them some £250 on a fat steer just under the 30-months limit. That is a serious loss and there is no way in which it can be recouped. I have not the slightest doubt that, since the March deadline, farmers will have accurate records of the beasts that they have sold, so there could be the possibility of retrospective support. It was disappointing that, last week, because of market forces, we had to reduce the premiums as the additional income from those cattle receiving the premiums helped to balance the loss being made on other cattle.

Yesterday, when I questioned the Prime Minister about fair compensation, he was good enough to reply:

"I shall ensure that that is the case."—[*Official Report*, 24 June 1996; Vol. 280, c. 32.]

I hope that the Government's action will bring confidence to the industry that it will be properly compensated for the major disaster that it has suffered.

I am glad that my hon. Friend the Minister mentioned less-favoured areas and the possibility of additional support to the livestock industry through the suckler cow subsidy or later in the year when we review the hill livestock compensatory allowance, which is used as a yardstick.

Mr. Tyler: It has gone down.

Sir Hector Monro: The hon. Gentleman thinks that we know nothing at all. Although it was reduced three years ago, it has not gone down any further and I see no reason

why it should not be increased in view of present circumstances. We should try to ensure that support is in place in time for the suckler calf sales in September and October, as they are the absolute livelihood of many hill farmers in Scotland.

I hope that my hon. Friend the Minister will make certain that farmers are given clear instructions week by week as to how they can make the best use of the disposal system. I have certainly run into some snags in my constituency. Some slaughterhouses are not being used and others have no quota for casualty animals. No slaughterhouses in south-west Scotland take casualty cattle. One must look at the humane aspect of how far to transport injured cattle, as I explained to my noble Friend Lord Lindsay who is responsible for such matters.

My hon. Friend should also clarify the continuing discussions and arguments in respect of the dentition test. We have set out the rules specifying four teeth for the 30-month disposal system or two teeth for normal sales and there have been problems relating to heifers.

My constituency borders England, and my farmers send cattle to Longtown and Carlisle. Last week, when we changed the premium support level for heifers and steer, there were difficulties when the auction mart and the slaughterhouse told farmers, "Sorry chaps, even if there are four teeth, unless you have a cattle birth record document, you will lose part of the subsidy." That has been proved wrong by the weekly newsletter, the NFU press release and a ministerial statement. We must get over those hiccups as soon as possible.

It is important that we look forward, be clear and concise in our policy and explain it explicitly, particularly to dairy farmers who will have major problems with their herds in August, September and October as we approach the selective cull, which will have the greatest effect on the dairy herd. We must accelerate the process as soon as possible in close discussion with the National Farmers Union. We shall then begin to see a change in attitude that will return confidence not only to farmers, but—equally importantly—to the food chain. That would help the farmers, the slaughterhouses—some of them are doing reasonably well, but others are not in the scheme—the processors and the exporters who have been so important in Scotland where prime Scotch beef has been of such economic value.

Everyone has a part to play, but we must be tough on those who are out of step and those who try to beat the system. We hear about too many people trying to get round the system which has been set up for the good of everybody.

As I said earlier, it is no use looking back with hindsight. We have to look forward. The Government have done a good job in difficult circumstances and I hope that, as a result of that success, our export markets will be open before the end of the year and farming will return to a profitable future for consumers, the environment and the industry.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. Before I call the next hon. Member, I remind the House that from 7 pm until 9 pm there will be a limit of 10 minutes on speeches.

6.59 pm

Mr. David Hinchliffe (Wakefield): I commend my hon. Friend the Member for Edinburgh, East (Dr. Strang) for making the point that we are discussing essentially a health issue. I am concerned that, with his honourable exception, speeches have not addressed the serious concerns about health aspects of the BSE crisis. Before I raise two specific points, I shall cite one example of how, consistently over the years, the Government have responded to warnings from scientists who do not toe the Government line by shooting the messengers and abusing people who have criticised and argued with policy.

By 1988, we knew that humans were one of six species vulnerable to infection. By 1990, we knew that there was an increasing incidence of BSE. Some hon. Members will recall Professor Richard Lacey, whom I have known for many years in my locality of West Yorkshire, warning in 1990 on the basis of what was known then that there should be selective slaughter of infected herds and the implementation of quarantine measures. The response of Government Members was to table an early-day motion on 15 May 1990, which said:

> "That this House condemns the relentless attack on British farmers and food-producers by professors who display symptoms akin to BSE; and calls on the Department of Health to investigate the mental state of Professor Lacey who, having helped to destroy the egg industry, is now turning his attention to beef."

I shall not name the hon. Members who supported that early-day motion. [HON. MEMBERS: "Why not?"] I shall not because, as a matter of courtesy, I would notify them first of my intention to do so. However, two of them were present earlier. Indeed, bearing in mind the fact that the debate has been initiated by the Liberal Democrats, I should say that one of the hon. Members who supported the motion was a Liberal Democrat, who is still in the House, but not present. To his great credit, my hon. Friend the Member for Islington, North (Mr. Corbyn) tabled an amendment to the motion.

Perhaps we should listen to such professors and consider why such an attitude has affected the way in which we have dealt with this serious problem. Lacey was right on eggs, according to a Health Minister. He was proved right on listeria. Had we listened to the warnings about BSE in 1990, the farming industry would not be facing this crisis, billions of pounds of taxpayers' money would not have to be diverted into dealing with it, and, most important of all, public health would have been safeguarded. We should have listened to one or two people on the sidelines who were marginalised. They were saying that a serious problem was coming up.

The Prime Minister's statement yesterday primarily concerned the export issue—not health. BSE is a health issue. I shall raise two aspects of the health side of the story, which has not been addressed except by my hon. Friend the Member for Edinburgh, East. I hope that I shall get some responses from the Minister. The first issue concerns gelatine.

There have been long-standing restrictions on the use of gelatine in pharmaceutical and medical products. That was changed by SEAC on 24 March, and it now tells us that gelatine is safe for use in such products. Why did that change take place? A document produced by the animal health veterinary group in the Ministry of Agriculture, Fisheries and Food only this month contains data showing that chemicals used and temperatures needed to extract

[Mr. David Hinchliffe]

and purify gelatine are inadequate to destroy the infective agent of BSE that is likely to be present in bones. I understand that SEAC's policy change arises from advice given by an expert in the Medicines Control Agency. I have asked the Department of Health questions about what new information caused the change and what qualifications are held by the person who proposed it. I have had no answers. Perhaps the Minister will give me some tonight.

Sir Jerry Wiggin: Will the hon. Gentleman give way?

Mr. Hinchliffe: With the greatest respect, I say that I have only a few minutes left and cannot give way.

I also want to question current practices concerning the remains of potentially infected cattle. I have a letter that was sent by Prosper de Mulder Ltd., which is believed to be the company that produced the problem feed that resulted in the crisis. Incidentally, we found out the other week that it contributes to the Conservative party—what a surprise. It said to MAFF in October 1994:

"we . . . have been aware for several years of the unsatisfactory application of the existing legislative requirements for the segregation and handling of SBO by the slaughter and knacker industries as well as at rendering plants."

In a debate on BSE and CJD on 10 June, I raised my concerns about certain practices concerning blood products in Yorkshire. The Parliamentary Secretary responded to that debate, and the Minister may be aware of the concerns. Following that, I received representations from people in Canterbury about what was going on at the Canterbury Mills site where, I understand, one of the nine rendering plants is located. I have mentioned out of courtesy to the hon. Member for Canterbury (Mr. Brazier) that I was concerned about the issue. Although the plant is one of those licensed to dispose of cull cows, the remains of cattle in a liquid effluent are being pumped on to the nearby field.

A report by Dr. Alan Colchester, a leading neurologist who treats patients suffering from CJD in that area, was given to Canterbury district council planning committee on 21 May. There is, of course, a cluster of cases in that area. I am not suggesting a link because it cannot be proved, but questions need to be asked. Dr. Colchester said:

"There is no doubt that the liquid effluent which results from the processing of animal remains could potentially be a potent route of transmission of prions to farm animals, wild animals, domestic pets and man."

He spoke of a lack of knowledge of how such waste should be handled and inadequate regulation. Such concerns are serious, and I suspect that they are not only confined to Kent. Other developments to which I want to refer suggest possible problems elsewhere.

In April, the Under-Secretary of State for the Environment, the hon. Member for Hertsmere (Mr. Clappison), answered a written question that I tabled about the volume of abattoir waste entering the United Kingdom sewerage system. He said:

"The specified bovine offals, which include all the tissues known to harbour BSE infectivity, are removed from cattle at slaughter and destroyed. As a result, it is unlikely that any BSE contaminated material could enter the sewerage system."—[*Official Report*, 3 April 1996; Vol. 275, c. *238*.]

Practices at Canterbury and, I suggest, possibly elsewhere, raise serious doubts about whether the Government's policy is being applied, and whether that answer is correct.

I discovered last weekend—other hon. Members probably did the same—that Anglian Water, for example, is insisting on fine filter systems at its BSE cull abattoirs to stop prions being released into the sewerage system. If the Under-Secretary's answer is correct, why is it having to do that? I would welcome some assurances from the Parliamentary Secretary on what I regard as a serious point.

I know that water that is used for drinking by my constituents, myself, my family and my children is extracted from many rivers that, on occasions, take sewage. I do not want to be alarmist or to scaremonger. All I want are common-sense answers to serious questions. If people had listened to those who raised such questions some years ago, we would not have the horrendous mess that we have today. For goodness sake, we must realise that there are millions of people in the country who, like me, are the parents of schoolchildren. They are anxious about what this problem could mean for their generation, their children and grandchildren and generations to come. The problem will not go away.

To understand why we have the problem, we must look at the way in which it has been handled, not just during the past 13 weeks—as the hon. Member for North Cornwall (Mr. Tyler) said in opening the debate—but during the past 13 years. We must look at some of the decisions that have been made and some of the points that were raised by scientists. We must find out why, for example, SEAC discarded evidence from the likes of Stephen Dealler. We must also consider the treatment of Dr. Harash Narang and others who criticised the Government's policy. Those people have been abused and marginalised. Now, sadly, the chickens are coming home to roost. If we had listened to those people, we would not be in the mess we are in today.

7.9 pm

Sir Jerry Wiggin (Weston-super-Mare): It has not been stated as often as it should be that this matter was brought to public attention not by my right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister of Agriculture, but by the *Daily Mirror*. That newspaper published in its 20 March edition four pages dealing with a leaked document—leaked, I understand, from the Department of Health—on BSE. I believe, although I have no internal knowledge of the matter, that Ministers were then forced into a corner and had to make an announcement before they had taken the necessary preparation and time to deal with the minutiae and appropriate questions attached to it.

The article was based on a leaked, or stolen, document, and it was an irresponsible way of announcing something that, as the hon. Member for Edinburgh, East (Dr. Strang) said, was always a possibility. It was always possible that BSE would pass across the species to human beings, and it was for that very reason that the enormously expensive and complex butchering operations to remove specified offal took place following a Government order in 1989. We do not always keep these matters in proportion—10 people a day are killed on our roads.

I was astonished that the hon. Member for Wakefield (Mr. Hinchliffe) adopted the tone he did. Does he really believe that—at a time when the world is looking closely

at how we are dealing with our industry—it is in Britain's national interest to start casting doubt? He mentioned Professor Lacey and his recommendations. Professor Lacey gave evidence to the Agriculture Select Committee in 1990, but did not impress the Committee with his knowledge of the subject or his background information. Nor did we believe that any of his recommendations was likely to be practical. As the history of the disease has progressed, he has been proved entirely wrong, and SEAC has been proved entirely right.

The hon. Member for Wakefield also mentioned Harash Narang. One of the leading professors in the country told the Select Committee the other day that he would not employ Dr. Narang. If the hon. Gentleman inspects Dr. Narang's written evidence when it is published, I cannot believe for one second that he will give credibility to that gentleman, either.

The Liberal Democrats have an extraordinarily high opinion of themselves in relation to their actions in this matter. The hon. Member for North Cornwall (Mr. Tyler) said that the Liberals had set out to be of help, but I find it difficult to stomach that statement. On the first three days after the crisis broke, the Liberals were stampeding around the country making public statements that were critical of the Government and which added to public concern.

It was not until farmers in the constituencies of Yeovil and North Cornwall, among others, started pointing out that huge damage would be done to the British beef industry that they changed their approach, following a complete 180 deg turn. Since then, the Liberals have been of remarkably little help. They have deliberately stirred up the agricultural community, and have been spreading despair and concern.

I believe that the actions of several politicians—I do not exempt the hon. Member for Peckham (Ms Harman)—forced our European partners in a moment of panic to introduce the ban, although "forced" may not be the right word. That was the crucial moment when public confidence went up the spout, because the public were concerned that the European countries no longer believed us, having done so through the early 1990s. Europe had taken the veterinary and scientific advice and played the game by the book, but it suddenly tore up the rule book and the scientific evidence, and banned our beef. The ban has, in fact, affected many European countries to a far greater extent than our own.

To minimise this problem would be a mistake—it is a substantial disaster, not just for Britain but for the whole of Europe. When we could make no impression on the Europeans, what other option did we have but to say, "If you have broken the rules, we will break the rules"? To suggest that that did not concentrate their minds is not facing facts—it concentrated their minds remarkably.

Critics say that there is no timetable for the ban to be lifted, but I do not agree. Although there is no calendar date for the lifting of the ban, there is very much a timetable for our actions. As we respond to the requests, Europe will see it relevant to lift various elements of the ban, until we can put the matter behind us.

The hon. Member for Wakefield questioned the decision on gelatine, but there is no evidence that BSE material is found in bones. He therefore starts his argument by referring to a material that is in itself safe, and his questioning shows that he, too, has departed from the scientific approach.

I confess that the farmers have been critical of the execution of the execution—if I can use that phrase—and have stated that it has caused great concern. There is a backlog of cattle—some of which have been eating their heads off at the farmers' expense—and there were other problems. However, we were engaged in an exercise of enormous proportions which was totally unrehearsed and unprepared. Never before has a problem of this size and nature arisen, but it is now beginning to go relatively smoothly.

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Sir Jerry Wiggin: I am sorry, but I have very little time. I am fated always to speak when there is a 10-minute rule. I hope the hon. Gentleman will forgive me if I do not give way.

This morning, I received—as did some of my hon. Friends—a letter from the NFU that states:

"The NFU welcomes the fact that the Prime Minister has now indicated that he anticipates that the ban on the export of British beef products (including exports to non-EU countries, but apart from meat from over 30 month cattle) could be raised by November of this year."

Mr. Malcolm Bruce: "Could be."

Sir Jerry Wiggin: It depends on the extent to which we carry out our obligations. I am confident that MAFF and the Chancellor of the Duchy of Lancaster will carry out those obligations within the timetable that they have in mind.

The NFU letter continued:

"We also welcome his assurance that the European Commission—

this is the key point—

"has the power to override the Standing Veterinary Committee if that body appears to be taking factors other than purely scientific or technical ones into account. Should such a position arise, the NFU considers that the Government should immediately halt the selective cull scheme. The whole beef crisis has been far too bedeviled with politics rather than based on good scientific advice and cool rational judgment."

Those are not my words, but those of the NFU.

The letter continues:

"The NFU pledges to do all it can to cooperate with the relevant authorities to ensure that the export ban is lifted on the timetable referred to by the Prime Minister, if not earlier. It is essential that for their part the authorities 'pull out all the stops' so that this can be achieved."

I believe that they will do that.

I had hoped to have time to remind the House that the Agriculture Select Committee produced three reports—agreed by all Committee members—on BSE, on the disposal of livestock, and on the identification and registration of livestock. With the wisdom of hindsight, I must record my disappointment that we perhaps did not receive a greater response from the Government.

I hope that, when the Select Committee reports in future, the Government will cast their mind back and consider that perhaps we had it partly right, especially in respect of identification and registration. In defence of the Government, we reported that, because the number of BSE cases was declining, we did not think that it would

[Sir Jerry Wiggin]

be worth the cost of introducing a programme. Perhaps my hon. Friend the Minister was a member of the Committee at that time.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning) *indicated assent.*

Sir Jerry Wiggin: We recommended that there should be a database of the movements of cattle in the United Kingdom, as they have in Holland—

Madam Deputy Speaker (Dame Janet Fookes): Order.

7.19 pm

Mr. Andrew Welsh (Angus, East): I will be brief, because of the time constraints.

This motion, though targeted at the Minister of Agriculture, is basically a motion of no confidence in the Government, and as such, we back it fully. The Government's handling of the beef crisis has undoubtedly exacerbated the problems and undermined confidence in the industry. Farmers are justifiably angry.

I cannot over-emphasise the importance of the beef industry to the Scottish economy. Agriculture represents around 3 per cent. of Scotland's gross domestic product; the United Kingdom figure is less than half that. The beef industry represents 30 per cent. of Scottish agriculture, compared with only 10 per cent. of England's; 20 per cent. of that figure is top-class beef exports, which were valued in 1995 at £118 million.

Agriculture provides 2.1 per cent. of total civilian employment in Scotland. The crisis impacts not only on farmers but on auction marts, abattoirs, renderers, transporters, manufacturers, retailers and bakeries. It is estimated that, for every 100 jobs directly lost in agriculture, there will be 288 jobs lost in the Scottish economy as a whole.

Over the past five years, while the value of total meat exports has trebled, the volume of beef exports has almost quadrupled. Practically all Scottish beef exports are destined for Europe, with 93 per cent. going to France, Italy, Belgium and Holland alone; 87 per cent. of United Kingdom beef exports are bound for the European Union. That is what the Prime Minister was messing about with in his so-called beef war.

The Government's mishandling of European negotiations has put other products in danger. In 1995, Scotland exported £97 million-worth of Scottish lamb, almost exclusively to the European Union. It is feared that the Government's petty posturing with our European partners could seriously threaten the European market, not only for beef but for other meat products.

Accompanying the greater importance of the beef industry in Scotland and Northern Ireland is the ironic fact that the incidence of BSE is significantly lower in both countries. The disease is concentrated in dairy herds, although even in those, the incidence in England is almost twice that in the Scottish dairy herds. More significantly, Scotland has two beef cattle for every dairy beast, while in England the ratio is reversed by almost 3:1.

About 70 per cent. of Scottish beef originates from suckler cow herds that are kept to produce beef-only animals. Some 3,700 farms are members of the Scottish Quality Beef and Lamb Association's quality assurance scheme, while 4,000 others meet the quality targets and are waiting to join the scheme. The association receives 30 applications a week to join its scheme.

The specialist herds are certified BSE-free, and should never have been lumped in with the affected dairy herds, as the Government insisted. The Scottish National party has consistently argued for a rolling lifting of the ban on beef exports, with quality products from Scotland and Northern Ireland leading the way out of the crisis. We took that campaign to Brussels without the help of the Scottish Office or of central Government. It has been one of the clearest examples yet of the desperate need for a strong, independent Scottish voice in Europe that argues strongly for Scottish interests.

Our Members of the European Parliament met Commissioner Fischler in April, as did representatives from Northern Ireland. We were told that the Commission was receptive to proposals for a regional or zonal lifting of the ban. Several European Union Farm Ministers echoed that, recognising the distinctiveness of quality beef. Jacques Santer, in an interview with "On the Record" in May, agreed that a step-by-step, regional or zonal approach to lifting the ban was the way forward.

The early-day motion tabled by the hon. Member for East Antrim (Mr. Beggs), which called for an immediate lifting of the ban from those parts of the United Kingdom with established quality assurance and traceability schemes, has had 92 signatories. Yet we faced the ridiculous situation that the proposal had to come from the British Government—and no such proposal came.

A practical case could have been made for putting Scottish beef back into its vital export markets. Instead, the Government preferred to wage a beef cold war in Europe, which could have negative implications for years to come. The Scottish National party has been disturbed by the Government's immature behaviour, and we are worried about its long-term impact on Scotland.

After the complete failure of the Government's tactics, the Prime Minister has simply tabled a series of measures to obtain the agreement that he was promised from the start. Yet the beef industry has been forced to endure months of damage. Consumer confidence has been hammered, and relations between the United Kingdom and the European Union are at an all-time low.

From the outset, the Commission had promised its support for lifting the ban if there was a programme to eradicate BSE. It is astounding that, after the disgraceful way in which the Prime Minister has handled the crisis, he is trying to claim victory in respect of the package agreed in Florence, when it has been on offer since day one. He has fought a phoney war and obtained a phoney victory. We need to repair the damage done by the Government—a task in which they have not yet engaged.

The Government have conceded that incidence of BSE is lower in Scotland, and that that would make it much easier to implement a successful eradication policy, and more quickly than could be done in England. In yesterday's statement, the Prime Minister set that as the first stage in a five-stage process to lifting the ban. His statement was full of vague and optimistic words and objectives, but had little substance. He "hopes",

"believes" and "aims" to achieve objectives, but the industry needs firm commitments and assurances, not simple aspirations.

The Government hope to be in a position to lift the ban on certified herds by October, but that depends on clearing the backlog of animals awaiting slaughter in the 30-month-plus scheme, and a start to the accelerated slaughter of cattle at risk. We are entitled to ask exactly when the backlog will have to be cleared and how the Government propose to do that effectively.

Will the Minister assure us that a regional or zonal approach will be adopted, given that the number of BSE-affected cattle in Scotland is relatively small, and hence the number to be slaughtered fewer? The backlog will be cleared first in areas, such as Scotland, where quality beef herds predominate. That is what we and the farmers want from the Government.

Can the Minister assure us that the Scottish economy and beef industry will not be dragged down further by the Government's failure to implement measures to meet the deadline for clearing the backlog of dairy herds awaiting slaughter in England? Scottish agriculture requires and deserves no less.

I specifically ask the Minister to consider that Scottish and Northern Ireland quality beef herds can lead the rest of the United Kingdom beef industry out of the crisis. We have been arguing for that for a long time, with no help from the Scottish Office. The solution is clear if the Government care to adopt it. Their negotiating stance in Europe has been counter-productive.

There has been no victory, but there has been a start that must be built upon. We need action to deliver the steps that need to be taken. The quality beef herds of Scotland can be the vanguard in rolling back the blanket ban and starting the recovery that the industry badly needs.

7.29 pm

Mr. Paul Marland (West Gloucestershire): What I find incredible about this debate is that our opponents seek to turn hindsight into a virtue. They regard it as an intellectual asset, when we know that it is the cheapest commodity on earth. Having listened to the speech of the hon. Member for Angus, East (Mr. Welsh), I wonder whether he has been in the Chamber during the debate.

We are discussing the biggest operation that has ever been undertaken in the United Kingdom food industry. As others have said, it involves farmers, feed manufacturers, markets and those who work in them, hauliers, slaughterers, vets, renderers, restaurants, exporters, food processors, eight Government Departments, billions of pounds and tens of thousands of people. It takes time to mobilise and communicate with all those enterprises and interests.

We are dealing with a new disease which takes a long time to develop. No one is sure how it is going to develop. Of course there has been frustration between the farmers and the Government and between the Government and our European partners. One of the frustrating things for the Government was that they could not get any clear statements, ideas or suggestions out of our European partners when the disaster first occurred. The EU would not give us any positive guidance on what it wanted to see us do. It introduced the ban, and was unhelpful in telling us what we should do to get it lifted.

What should have been the Government's main priority—sorting out the farmers and communicating with the interested parties in Britain, or sorting out the ban? It seems to me that there is no question but that the first thing we had to do was find the right way forward with our European partners, and persuade them to co-operate. Europe had to be our main priority. Despite what Opposition Members have said this evening, our partners refused to co-operate, and would not discuss the matter with us. I had discussions, as others did, with Ministers at an early stage, and that was their frustration.

We had to introduce a system of non-co-operation to persuade the Europeans to come to the negotiating table. That has shown the nation that the Conservative Government are not frightened to stand alone when the need arises. It is not for us to work towards a federal Europe. *[Interruption.]* The wriggling on the Opposition Benches suggests that Opposition Members are happy to be swamped by European legislation, and would not stand up for the interests of the people of this country.

Of course we have faced delay and frustration over this matter. We all know from dealing with problems brought to us by our constituents how long things can take to sort out, and how frustrating it is when we cannot sort them out immediately. So what have the Government done at home to ease the way and improve communications between interested parties? It is excellent that my right hon. Friend the Chancellor of the Duchy of Lancaster has been appointed to spearhead the eight Government Departments in their efforts. It is first-class that advance payments are being made to farmers holding cows over 30 months which are due to be slaughtered. It is right that the Government should consult interested parties on the next move.

I was riveted by the suggestion by the Opposition that the Northern Ireland scheme is the right way forward. It is no wonder the Labour party is not being consulted on the matter. In Northern Ireland, every cow that is moved has to have a licence. There are more than 12 million such movements in the United Kingdom every year. Such an operation would be a bureaucratic nightmare for those trying to oversee it. However, I am not surprised that, even now, Labour Members express their support for such a scheme. We know that Labour Members like bureaucrats. They like a bureaucratic nightmare which no one can find a way through.

We now have a framework agreement and a way forward. When we have completed the selective cull, the European Union will fulfil its part of the agreement. Progress now depends on our industry. The speed at which the cull moves forward depends on the British farmers and others involved ensuring that it works. It is in their interests to make sure that the cull happens as speedily as possible. That is why we cannot give a hard and fast timetable.

The selective cull is based on the thinnest scientific evidence. I agree with other hon. Members who have said that it is a most disagreeable thing to have to do, but what alternatives are there? This is a Liberal-inspired debate, and we have not heard a single suggestion from Liberal Members of what we should do. [HON. MEMBERS: "Where are they?"] To be fair, the former president of the Liberal Democrats is in his place.

The Government are consulting the industry on the selective cull, how much compensation should be paid for different beasts, compensation for loss of earnings, how

[Mr. Paul Marland]

beasts can be identified, and how farmers should be notified which cows are to be culled and when. To speed matters up, the Government have commissioned extra cold storage. I congratulate them on that. They have not only commissioned regular cold stores, but have taken over large buildings formerly used as grain stores and installed chilling equipment in them so that the slaughter can be accelerated. Extra incinerators will be used so that no rendering needs to take place.

I know that six applications have been made by private sector companies to build incinerators at the point of slaughter. That will enormously speed up the removal of the backlog. Of course it is sad that there are stories of exploitation by some renderers and slaughterers of those who find themselves in a disagreeable situation, but I suppose that that is just the way of the world. That is how things work out. However, farmers can see that things are moving and that the Government have made a substantial effort.

As the European Union is constituted, it is supposed to be a partnership. I cannot help wondering why our European partners did not co-operate more in lifting the ban and eradicating the difficulties in Britain. I wondered whether they had another agenda; whether they were trying to cover something up. So I went to my local market in Gloucester and asked the market managers whether in their experience something was going on in France that we did not know about. They told me there was. They said that a lot of covering up of BSE went on in France.

I tried to interest the media in what I was told, but they were not interested in what was going on in France. They just wanted to denigrate the Government. However, thanks to a front-page story in Monday's edition of *The Daily Telegraph*, the truth may soon emerge. I am sure that many hon. Members on both sides of the House will have seen the headline: "EU farmers are not reporting BSE cases." The article started:

"Beef from many EU countries is now more likely to be contaminated with BSE than British beef. European vets have concluded from evidence that thousands of cases in Europe have not been reported.

The Federation of Veterinarians in Europe will call on the Agricultural Commissioner this week to impose a British style ban on specified beef offals throughout the EU.

This follows evidence from Swiss experts of gross under reporting of BSE by many EU countries."

Mr. Alex Salmond (Banff and Buchan): Will the hon. Gentleman give way?

Mr. Marland: No, I will not give way.

The article said:

"Professor Marc Vandervalde, Head of the Institute of Animal Neurology at the University of Berne, believes that France should be reporting around 200 cases of BSE rather than the 22 it has so far declared given the amount of contaminated food imported from the UK."

Mr. Campbell-Savours: We have already read it.

Mr. Marland: All right, but perhaps not everyone has. I am anxious to put the quotation on record, because I want my friends in Gloucester market to hear about it.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): And in Cirencester.

Mr. Marland: Yes, but I do not have so many friends in Cirencester market.

The article continued:

"Furthermore, Professor Vandervalde is openly incredulous of Holland, Belgium and Luxembourg who also imported thousands of tons of contaminated food from Britain in the 1980s but who have not declared one single case of BSE.

Finally, Portugal has imported over 12,000 cattle from Britain, and has reported only 7 cases of BSE.

This same evidence, compiled by the Euro Vets, also questioned the safety of the French rendering process as there is a real danger that the French could, and probably are, recycling their unreported BSE back into other animal feed."

I have mentioned this disturbing evidence to emphasise that there should be fairness across Europe. I have asked whether there has been a cover-up. I believe that there has been a cover-up—the Europeans have an alternative agenda.

7.39 pm

Mr. D. N. Campbell-Savours (Workington): It is unfortunate that the Chairman of the Agriculture Select Committee, the hon. Member for Weston-super-Mare (Sir J. Wiggin), has just left the House, because I wanted to raise a few issues with him. If the Government had implemented the 1990 recommendations of the Agriculture Select Committee, we would have avoided the most recent BSE scare.

I believe that the Committee—which I left recently—was remiss in failing to carry out a further inquiry into BSE. Over the past two and a half years, I have repeatedly asked for an inquiry into BSE. I know that it might be controversial for me to say this, but I believe that the Committee, to some extent, was fearful of the consequences of re-examining BSE. The Committee was wary of what might happen if it was seen to be stirring up the issue, even though the majority of its members felt that the issue was of public concern. I regret the Committee's decision not to take further evidence.

I now wish to refer to the position paper produced by the European Commission, which states:

"Any plan to gradually restore the single market in beef and beef products will require the following of the United Kingdom:

implementation of a selective slaughter programme to be approved by the Commission".

We can do that quite rapidly. The paper continues:

"legislation for the removal of meat-and-bone meal from feed mills and farms and subsequent cleansing of the premises and equipment concerned".

We can deal with that quite rapidly. It continues:

"effective implementation of the over-30-months rule including the destruction of the animals".

We can probably deal with that quite rapidly. The paper continues:

"improved methods for removing specified bovine material from carcases".

We can deal with that quite rapidly as well. It continues:

"These measures are considered essential by experts of the Standing Veterinary Committee. In addition these actions must be backed up by Community inspections to verify correct and effective implementation."

In other words, what we do will be checked. However, I have trouble with one of the requirements placed on the United Kingdom—in fact, yesterday I asked the Prime Minister a question in that regard. The paper states:

"introduction of an effective animal identification and movement recording system with official registration".

That is the critical condition, and it will cause problems for the United Kingdom. The hon. Member for Congleton (Mrs. Winterton) was a member of the Select Committee when those matters were discussed. The Committee recommended that such a system be set up in 1990, and the Government failed to implement the recommendation.

I have the departmental minute—which was returned to the Committee—which deals with the Committee's recommendation in relation to the identification scheme. The key words are:

"the size of the financial commitment".

I argue that the Government did not implement the identification scheme because of the financial commitment that they believed it entailed.

On 13 April 1993, during the proceedings on the Agriculture Bill, I moved an amendment to set up the identification scheme. A long debate ensued, and it centred on the scheme that operates in Holland—the Royal Dutch Cattle Syndicate, or the NRS scheme, now known as the NIS scheme. The scheme that operates in Holland mirrors the requirements that have been set down in the European Commission's position paper. On that occasion, the Government again refused to move.

Last year, the Select Committee produced a report entitled "Identification and Registration of Farm Livestock". We had an opportunity to implement the scheme that was originally called for in 1990. Members of the Committee went to Holland to look at the operation of the scheme—I did not go on that trip—and came back singing its praises. The Committee made its recommendations and, once again, the Government refused to implement them. In relation to a national database, the Government replied:

"The Government has already given considerable thought to the balance between the benefits available from a national database, the extent to which one is needed to solve specific problems, and the costs of setting up and maintaining a system of such complexity. So far, the Government has not concluded that it would be cost effective to establish such a database."

Once again, the Government ducked the issue. We are under pressure from farmers—we know that they want the ban lifted and we know that every day counts. At the heart of the Commission's position paper is the recommendation that we set up the identification scheme. I forecast that there will be a delay in the lifting of the ban because of that area in the document. A refusal to implement the Commission's recommendations will lead to further delay.

The Government's position on the issue has been outrageous. If they had implemented the recommendation at any time—even as late as last year—we would now have in place that critical element which the Commission will demand of us before it raises the ban. We have failed and farmers will pay the price.

Since 1992, I have argued that this would end up in a multi-billion dollar bill. I have been convinced of it. When I was on the Front Bench in the agriculture team, I was always raising the issue. We have been well aware of the fact that one day we would have to pick up the bill for it. The money that will have to be spent will be Labour money. The money that will be spent next year, the year after and the year after that will be money that a Labour Government will have to raise in taxation. Labour money will be wasted because the Conservative Government failed properly to regulate in the feed mills, in the abattoirs and in the rendering mills.

The Select Committee report of 1990 recommended that there should be such regulation. The 1990 report is all about regulation, and the Chairman of the Committee knows it. When we read the Government's reply to that report, we see that their argument is that they cannot afford to introduce the regulations or, alternatively, that the regulations will be onerous on the industry. As a result of the Conservative Government's negligence, next year a Labour Government will have to pick up the multi-billion dollar bill. We regret that.

7.48 pm

Mr. Christopher Gill (Ludlow): I preface my remarks by declaring an interest in the meat and livestock industry and by referring to the comments of the hon. Member for North Cornwall (Mr. Tyler). Obviously, he is trying to censure my right hon. and learned Friend the Minister of Agriculture. I remind him that in the sort of Europe that is contemplated by the hon. Gentleman and his party, it will become increasingly difficult to censure Ministers because, in many instances, they are already unaccountable to the House for many of their actions because the decisions are made in Brussels. It is not only unfair but impossible to censure Ministers for those decisions.

When my right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister of Agriculture came to the House on 20 March, they were correct to make a clean breast of it and inform hon. Members about the situation at that time. However, as this debate seems to be an occasion for exercising the wisdom of hindsight, it was perhaps remiss of them not to point out on that occasion that the measures that the Government had taken since 1988 in implementing the ruminant feed ban had been, and continue to be, effective in eliminating the incidence of BSE. I regret that they did not point that out at the time. I regret also that the Government were subsequently forced from that position and that they abandoned the science to which they had correctly stuck hitherto.

I think that it is generally agreed that the link between BSE and CJD is not proved. I remind the House that it is incredibly difficult to prove the negative. As I have said in the Chamber more than once, no scientist will give a categorical undertaking or assurance that there is no link. I believe that beef is safe and that British beef is as good as any, and better than most.

I come now to the question of the cull and must express concern on three counts. I am concerned about the cost. Given farmers' understandable opposition to culling their cattle, generous compensation must be provided to persuade them to do so. That compensation will be in addition to the enormous amount that is already being spent on the 30-month cattle scheme.

I am concerned about the needless slaughter of so many animals. Even as we speak, the Quality Meat and Livestock Alliance is taking the Government to court over the legality of that aspect of the scheme. I share farmers' concerns about the effect of the cull upon the country's herds. While the measures will accelerate the rate of decline of the incidence of BSE in our herds—about

[Mr. Christopher Gill]

15 animals will be slaughtered before one is found with symptoms of BSE—they will not bring forward the date of eradication of the disease.

Mr. Marlow *rose—*

Mr. Gill: I shall not give way. As my hon. Friend knows, our speeches are limited to 10 minutes.

There is no guarantee that, if we carry out the selective cull, the export ban will be lifted. Furthermore, there is no certainty that there will still be an export trade. I noted the remarks of my hon. Friend the Minister, who anticipated that there would be £100 million-worth of exports immediately and that the volume of exports would accelerate rapidly. I remind the House of the comments of my right hon. Friend the Prime Minister yesterday, when he referred to the natural prejudices across Europe. I submit that those prejudices will make it very difficult for us in attempting to recover our export markets on the continent. I remind my hon. Friend the Parliamentary Secretary that exports to third countries depend on substantial export refunds. Without them, those exports would not take place.

In the light of those factors, it is essential that the Government conduct a cost-benefit analysis to see whether the cost of implementing the selective cull and continuing the 30-month cull is outweighed by the benefits. If it were certain that the export ban would be lifted, that our export trade would recover immediately and that the date of eradication of BSE would be brought forward, that expenditure might be justified. However, in the circumstances, I think that we should determine the true benefits and compare them with the cost involved.

I believe that there is an alternative use for the money. I submit that we should assist those who have suffered most from the BSE crisis—the specialist beef producers. Those producers of prime beef under 30 months are the innocent parties. They have had to accept much lower prices in the markets and they are now at an enormous disadvantage compared with those who are taking part in the culling scheme. I continue to advocate a deficiency payments scheme as a more accurate, targeted and worthwhile way of helping that sector of the industry. It would also benefit the consumer. Under the old deficiency payments scheme, the British consumer benefited from cheaper beef, farmers' incomes were maintained and the cost was borne only by those who paid tax.

I suggest to my hon. Friend the Minister that it would be wonderful if the Government could puff out their chest and say that, in spite of all the difficulties that BSE has caused, they are now approaching the issue from a cost-benefit point of view. The Government should reject the idea of needlessly culling cattle at great expense and put their money where it would benefit the consumer and the farmer directly.

I have real fears—they were expressed to me at the weekend when I was in Scotland, a country that enjoys a reputation for producing prime beef—that if prime beef producers are not compensated in some way, when they go to market in autumn to buy store cattle, they will not be able to afford to pay the price that the producers of calves require to make a living in the hills. I am sure that my hon. Friend understands that point. It is self-evident that, if the finisher of cattle finds that his returns are reduced substantially, he will be a poor bidder in the store markets this autumn. The hill farmer who produces store cattle will suffer as a result.

I repeat my plea to Ministers to look seriously at a deficiency payments scheme to replace the European scheme. The Minister has promised additional assistance for farmers with suckler cows and male beef cattle. Heifers are excluded, and the British beef industry regards that as another weakness of the European system compared with the old British system. When my hon. Friend winds up, perhaps she can tell the House whether she believes that the £14 million that is being made available to the British industry is a satisfactory share of the fund of £527 million from which it comes.

7.58 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I wish to respond to some of the idiotic comments that have been made, especially by the right hon. Member for Westmorland and Lonsdale (Mr. Jopling), the former Chief Whip and Minister of Agriculture, who raised a point of order at the beginning of the debate. His remarks were reinforced, to my surprise, by the right hon. Member for Dumfries (Sir H. Monro) and by the Minister of State's facile comments about the context of the debate.

The right hon. Member for Westmorland and Lonsdale expressed constitutional outrage at the Liberal Democrats' temerity in initiating the debate, but, as he should know, we were subject to the usual channels. He also criticised the motion, but I notice that we have not seen him in his place since, such is his outrage and desire to defend the Minister of Agriculture.

Mr. Marlow: How many Liberal Democrats are here?

Mr. Kennedy: I think that the hon. Gentleman can count. He is waving two fingers at me, but that is the signal that he usually makes to the Government.

It is appropriate for the Liberal Democrats to use an Opposition day debate to call the Minister of Agriculture to account. We are not here to attack faceless, anonymous civil servants or junior Ministers. The political responsibility for the Ministry of Agriculture rests with the Cabinet-level Minister. We have heard an outpouring of emotion from some Conservative Back Benchers about the attacks on poor old Douglas, but if we read the national press, we find that half the Cabinet has called for him to be moved in an early reshuffle. It is transparent and unpersuasive, to say the least, for Conservatives to cry crocodile tears over the Minister of Agriculture.

Anything that has been said, including by my hon. Friend the Member for North Cornwall (Mr. Tyler) in his measured speech earlier, which was critical of the Minister of Agriculture is, as we all know, as nothing compared with what his colleagues have said off the record, on the Terrace, in the Dining Rooms and in the bars in the past few weeks. We have heard criticism after criticism of the inept way in which the Ministry of Agriculture has approached its entire policy. It is appropriate that we should have drawn attention to that in our motion.

The hon. Member for Ludlow (Mr. Gill) put up a plausible defence of the Minister of Agriculture when he said that nobody is accountable because everything is

decided in Brussels. That is a good argument for the Liberal Democrats' policy of opening up the Council of Ministers, so that the public could watch the meetings and judge Ministers' actions and contributions. We want to see far greater accountability to the House by Ministers who take decisions in Brussels behind closed doors, often through qualified majority voting. If the hon. Member for Ludlow is concerned about a lack of accountability, I hope that he will study in detail the excellent and constructive proposals that we put forward for the intergovernmental conference, and with which he might find himself in happy, if unexpected, agreement.

We are correct to focus on the inept way in which the matter has been handled. I was at a meeting in the Agriculture Directorate in Brussels a month ago and the officials told of us their despair.

Mr. Malcolm Bruce: Hear, hear.

Mr. Kennedy: My hon. Friend was also at the meeting. The Minister of Agriculture was asked for some proposals for a framework to deal with the problem so that the Commission could respond. Apparently, in one of the Minister's more notable utterances, he said that he had some proposals, but he was not at liberty to tell the European Commission what they were. That is hardly the way to make friends and influence people in Brussels. Christopher Tugendhat, a former Conservative Commissioner, commented, as the beef crisis mounted, that a similar problem had arisen, when he was a Commissioner, in the French agricultural sector. The French Agriculture Minister went straight to Brussels, told the Commission what the problem was, drew up a set of guidelines to deal with it and went back to his national Parliament with a framework for action. We have not had that resolute, decisive approach from the Government and especially not from the Ministry of Agriculture.

The outcome is ironic. The Prime Minister said yesterday:

"The targets that we have set are ambitious."

He was correct about that. He continued:

"It is now up to us in this country—the farming and ancillary industries and the Government—to ensure that we meet them. The point is that this timetable is essentially in our hands."—[*Official Report*, 24 June 1996; Vol. 280, c. 22.]

Wrong. The timetable is essentially in Brussels' hands, because we have to provide verification to Brussels of every step that we take.

Mr. Marlow *rose—*

Mr. Kennedy: Time is too short to give way.

It is ironic that the Prime Minister was driven by the Euro-sceptics to a policy of intransigence and that the outcome has been to hand still more power and authority over the management of our beef industry to Brussels. The lack of leadership from the Prime Minister, who has been buffeted and driven by the Conservative Euro-sceptics, has concentrated more power in Brussels than before.

Another result of the whole sorry episode is that we must consider the future status of the Ministry of Agriculture. We have argued before—and the issue of BSE has underlined our approach—that the Ministry's important work in representing producer interests should be separated from the need to reassure consumers about food safety and hygiene standards. It was depressing that public opinion was, at times, more likely to believe the chief executive of McDonald's than the Secretary of State for Health or the Minister of Agriculture. The need for a free-standing food safety commission is all the more pressing in the light of what we have learned from the BSE experience.

My final point concerns the situation in Scotland and I echo the first comments made by the hon. Member for Angus, East (Mr. Welsh). I hope that the Parliamentary Secretary will be able to tell us in her winding-up speech how much progress has been made by the working group on the Scottish quality beef initiative. The working group has been co-chaired by Highlands and Islands Enterprise and Scottish Enterprise and it is hoped that it will report in the next few weeks. Any further information from the Parliamentary Secretary about the attempts to re-establish the Scottish sector of the market would be useful and timely.

We cannot have confidence in the way in which the Government, both politically and in terms of administrative competence, have handled the issue. That has been obvious from the case made by my hon. Friend the Member for North Cornwall and subsequent speeches, not least the speech by the hon. Member for Ludlow. The more the hon. Gentleman analysed the deal, the less favourable it looked. The Government stand rightly accused, in the person of the Minister of Agriculture.

8.6 pm

Mr. Nicholas Budgen (Wolverhampton, South–West): I begin by declaring an interest because I own a small beef herd. I make no apology for speaking in the debate because my constituents, who are urban dwellers, have an interest in the large cost of the deal with Europe, which they will have to fund, and they also wish to know that the beef they eat is safe and healthy.

The attack launched by the hon. Member for North Cornwall (Mr. Tyler) started with the dubious proposition that his party would have got a better deal. The deal is not especially attractive and I agree with my hon. Friend the Member for Ludlow (Mr. Gill) that the size of the cull is enormous and that the disruption, cruelty and sheer waste of killing productive animals early in their life is horrible to contemplate. I agree also that the timetable is neither specific nor satisfactory, but no one can possibly argue that they know that any better deal would have been available: that is the crucial point.

Our beef, for better or for worse, has been excluded from most of the markets in the civilised world. It has been banned, for instance, from America since 1989, but we have not had the opportunity to exercise a non-co-operation policy against America. It looked at one point as though we would not be able to export our beef at all, even after a big cull and after meeting the unsatisfactory timetable.

The policy of non-co-operation has distinguished the Government's behaviour in the past few weeks. As I suppose Mr. Gerry Adams would say, force does work. It may be a rough old world, but by saying that we shall not co-operate we have half opened the door for our beef. If the European Union becomes awkward again about the details our culling programme or the details of the timetabling, we too can cut up rough and reintroduce the non-co-operation policy.

[Mr. Nicholas Budgen]

It is possible for me to say that because I am not a Euro-enthusiast. I do not believe in a federal Europe, but the Liberal Democrats are the most Euro-enthusiastic, so it seems rather difficult for them, since they almost certainly would not have used the policy of non-co-operation, to argue that they would have got a better deal. It is only by being awkward that we have got the deal, expensive and unsatisfactory though it may be. But for our awkwardness and bloody-mindedness, the door would not have been even half opened.

The Labour party says, with the benefit of hindsight, that many more expensive and bureaucratic measures should have been exercised, particularly in the abattoirs and feed mills. For the benefit of my urban constituents, let me use my own personal knowledge. When I used to go to Lichfield and Uttoxeter markets, I was constantly told how expensive, boring and unnecessary was the intervention of the various inspectors as a result of the European regulations, how disgraceful it was that small abattoirs were being forced to close and so on. Most constituency Members of Parliament were asking for their constituents to be relieved from such a gross and expensive intrusion.

It is all very well the Labour party saying that it rather likes inspectors in abattoirs, state-employed vets and lots of public expenditure, but that would not have been necessary in the past. The position has changed, as a result of which more expenditure must be incurred to get our beef into Europe. As one who has not always been very gushing about the Government's performance, I cannot see how the Ministry of Agriculture can legitimately be criticised on this occasion. I hope that, whenever necessary, we shall exercise our rights within the Community to use the veto. That is what General de Gaulle did, it is what Mrs. Thatcher did and it has been very effective on this occasion.

The critics of the policy come from the Labour and the Liberal Democrat parties, which are rapidly emerging as the advocates of a federal Europe. Those who believe in a federal Europe would not have been in favour of a policy of non-co-operation. Thank heavens that the Government took a firm stand. Let us support them in that. Of course this is not the perfect deal—no one could ever expect a deal to be perfect in every respect—but it is a fine show of resolution. Let us hope that it is repeated, and let us throw our weight behind it tonight.

8.13 pm

Mr. Tam Dalyell (Linlithgow): As one of the remaining four Labour Members of Parliament who voted with the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) to go into the Community, I could not disagree more with the hon. Member for Wolverhampton, South–West (Mr. Budgen). This is an absolutely crazy way to treat our European partners. It is counterproductive and will be extremely costly for our country in years to come.

I want to concentrate simply on the science of the issue and to ask a number of questions.

My first is to repeat that put by my hon. Friend the Member for Wakefield (Mr. Hinchliffe) concerning the clustering of CJD in Kent. I understand that an animal waste rendering company defended its methods of treating the carcases of cattle killed in the BSE cull, including its use of waste effluent as fertiliser on nearby land. A director of Canterbury Mills, one of nine rendering plants appointed by the Government, said that he was working to Ministry guidelines. The company was reacting to a warning from a neurologist that the discharge of infected material could be linked to Creutzfeldt-Jakob disease.

Alan Colchester, a consultant at Guy's hospital in London, made an investigation after learning that there had been three suspected cases of CJD in the Ashford area where the plant is based. He said:

"The area should be fenced off. It will take years to see if any part of the land is affected, so no sort of human trespassing should be allowed."

Dr. Colchester is working with the East Kent health authority to investigate possible links between the local CJD cases. The company has twice been convicted of effluent discharge offences during the past three years.

I simply want to ask what the Government are doing about Dr. Colchester's findings. He is a serious man and, if he is right, all sorts of consequences flow.

Secondly, on 1 May 1996, in a question to the Minister of Agriculture, I asked:

"Could we return to the desperately important question raised by my hon. Friend the Member for Edinburgh, East (Dr. Strang) about the United Kingdom's scientific infrastructure? What is happening with the central veterinary laboratory, the central science laboratory and the neuropathogens laboratory in Edinburgh and the cuts in work that may be vital in identifying the root cause of the problem? The last time that he was at the Dispatch Box, the Minister said very courteously that he would look at the experiments conducted in Ames, Iowa, involving proteins 130 and 131, and the question of prions in sub-heated food."

The Minister's answer is a matter of record. He said:

"we have increased MAFF spending on research by £1 million."—[*Official Report*, 1 May 1996; Vol. 276, c. 1158-9.]

Is it still the opinion of Professor Pattison that enough money and resources are being devoted to research? I asked whether experiments conducted in Ames, Iowa, had been followed up because in a barn in Ames, Iowa, there is a herd of cows that could force epidemiologists to rethink the origin of BSE. The barn is a secure isolation unit and, since 1990, it has housed a series of experiments whereby tissue from the brains of sheep with scrapie, a related disease, has been injected into cattle. The results are consistent. Cows infected with the scrapie agent become sick, but the disease is not recognisable as BSE.

In 1988, two years after BSE was first identified, epidemiologists in Britain working for MAFF announced that the source was probably scrapie. They linked the emergence of BSE with changes in the solvents and temperature used at the rendering plants recovering protein from animal carcases to produce cattle feed. Therefore, I ask whether the Ames, Iowa work has been followed up.

Thirdly, a simple test has been developed in the United States which might soon allow British farmers to identify cattle infected with mad cow disease. By looking in spinal fluid for "indicator" proteins—130 and 131—American researchers have been able to diagnose the closely related human disease, CJD, with more than 98 per cent. accuracy. They say that the technique would work equally well with infected cows. Is that the Department's view?

My fourth question arises from discussions with Professor Peter Wilson, the former head of Bush research campus, who believes from his many contacts that it is highly likely that the source of the trouble could be prions that were not heated to the extent that they used to be.

To cut a long and complicated story short, the renderers, in order to preserve proteins in the food that is produced, are now doing their business at lower temperatures than they used to. It is possible that, when that was done at higher temperatures, many of the potentially disease-carrying organisms were eliminated. If temperature is reduced with the aim of improving the quality of the protein, side-risks may be run. I do not know what the answer is, but what is the latest thinking of the Minister's advisers?

Fifthly, let me again raise a matter that I raised in an intervention on the Minister's speech. I refer to a letter, signed by the Minister—or, rather, by Elizabeth Ratcliffe; I make no complaint about that—to Lord Marlesford, whom many of us knew for years as Mark Schreiber, a distinguished political editor of *The Economist*. According to the letter,

"There seems to have been a misunderstanding. The main step to protect animal health was the introduction of the 'ruminant feed ban' in 1988. This prohibited the feeding of cattle with ruminant protein, the source of the BSE infection. This ban has greatly reduced the number of BSE cases that have occurred."

Incidentally, I gave a copy of the letter to officials so that the Minister could refer to it.

The letter continues:

"However, it has unfortunately not been totally effective, probably due to cross-contamination of ruminant feed with meat and bone meal from other animal feeds, both in feed mills and on farms."

That letter was written on 4 June. We are now nearing the end of the month. Has it become effective—totally effective—or is there still a problem? The letter goes on to say:

"The Government has, therefore, recently prohibited the use of meat and bone meal in any feed for farmed livestock, including poultry, fish, and horses. This removes the possibility of cattle getting access to any feed containing MBM which may potentially be contaminated. There is not a concern about pigs or poultry and other non-ruminant farm animals contracting BSE from feed, since in experiments feeding them with BSE infected brain has not produced disease in either pigs or poultry."

That brings us back to Ames, Iowa. It would be a serious matter if there were cross-contamination. I hope that the Minister will refer to the matter.

Sixthly, let me refer to an article by Andy Coghlan in this week's edition of *New Scientist*. It mentions work in Holland that has established that scrapie—the sheep equivalent of BSE and CJD—can now be diagnosed before the animals become ill. The Dutch researchers who developed the test hope that it can be used to diagnose CJD in humans before symptoms appear. I do not know whether that is a Department of Health or a MAFF responsibility, and I do not expect the Minister to answer off the top of her head, but I would like to hear some comment on the matter.

Finally, let me return to a point that was made at a conference today that some of us attended upstairs, involving the Royal Society of Chemistry. The point was made by Lord Selborne. He said that there was a desperate need for risk analysis—analysis of the extent of the risk compared to the many other risks that we run. I am delighted to hear that the Select Committee in the House of Lords will devote itself to the problem.

Madam Deputy Speaker: Order. Time is up.

8.23 pm

Mr. Peter Viggers (Gosport): Nearly all those damaged by the BSE tragedy either have a breadth of business that enables them to mitigate their loss, or will be eligible for compensation. I want to speak briefly about a small sector of the meat processing industry that has neither of those advantages. It has nowhere else to turn, and it is not currently eligible for compensation. I refer to the cow head deboning companies, of which there are about 12 in this country. Their business has been eliminated by the Specified Bovine Material Order, which came into effect on 29 March this year. My constituency contains one such company, Pinnacle Meats. It employs some 25 people. If I refer to that company, it is because it is typical of the dozen or so companies that make up the industry.

Pinnacle processed about 300,000 cow heads a year, and provided an essential, steady and reliable service for abattoirs. The process of deboning involved the removal of the cheek meat, most of which went into beefburgers, sausages, meat spreads and so on, but which was quite a delicacy. Pinnacle exported 10 tonnes of cheek meat a month to France, a business worth about £15,000 a month.

The industry has always been controlled in terms of health and hygiene, as part of the food sector, but in recent years BSE problems have caused MAFF and the European regulators to impose a strict and specific series of controls. When the trade was permitted, before March, cow heads were collected from abattoirs under strictly controlled temperature conditions; at every stage, temperature and cleanliness were vetted and recorded. The quality of meat was graded on arrival at the deboners' premises, and there were controls to ensure that the paths of the raw material and the product did not cross. Everything was recorded by a process control report, which was checked, regularly and irregularly, by MAFF officials. Record keeping by the companies had to be meticulous, and available for inspection at all times. There was a daily audit of stocks.

The premises and companies had needed an EC cutting plant licence since 1992, and a cattle head deboning licence from MAFF since August 1995. I am told that this is the only part of the meat trade that required a special licence of that nature.

Such were the controls on the business that companies in the trade needed to buy special equipment. Pinnacle Meats moved to new premises in 1992 in order to build a purpose-related plant, at a total cost of about £300,000. The floor had to be epoxy resined; also needed were special wall cladding, metal detectors, code-printing weighing scales, vacuum-packer conveyor systems and a scissor lift to enable the product to be loaded directly into a specially designed bay.

The whole of that business has now been destroyed by the order to which I referred earlier. It is now deemed that the whole of the heads of cattle constitutes specified bovine material. It is not the head meat itself that is thought to be dangerous; imports are still allowed. What is feared is the risk of contagion at abattoirs. No one suggests that anyone in the cow head deboning industry has been at fault in any way.

The worth of the industry has been assessed at about £11 million. I refer to a compilation by Price Waterhouse of the total value of the industry that has been wiped out. There has also been an informal valuation of the cost of

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meeting the European regulations at about £2.17 million. It may be asked why the head deboners do not turn to other business. The answer is that they cannot. They were small, specially designed meat processors, working with special equipment and able to stay in business only because the margins on that modest business were higher than in the rest of the meat industry. Head deboners worked on a margin of about 10 per cent., whereas the margins of the rest of the meat processing industry are tiny—typically 0.5 per cent. to 1 per cent. The plants can tolerate that because their turnover is huge.

It would be impossible for the head deboners to turn their hand to less specialised fields, because their equipment is unsuitable. For instance, Pinnacle has a blast freezer with a capacity of 30 tonnes a week, which is minuscule by the conventional meat processors' standards. The deboners are out of business, and it is impractical for them to switch to another part of the meat industry. Their only hope is compensation.

Typically, the companies are family owned, and in most cases the proprietors have borrowed against their houses to buy the equipment that is needed to meet the European regulations. Therefore, now that they have been driven out of business, they face ruin and bankruptcy. It is grossly unfair that such hard-working people, who have done nothing wrong, should face such problems.

There are possibilities of compensation. A legal claim is possible under article 1, protocol 1, of the European convention on human rights. I am informed that Lord Lestor, who is a QC, has advised that the companies have a good case for compensation but that it would take years to be heard. Objective 5a of the European Union structural funds, which is used to speed up the adjustment of agricultural structures, may be invoked. The UK, with impeccable timing, decided in 1994 that it would contract out of that objective with effect from 31 March this year. There is no reason why the UK cannot make a further request to opt back into it.

The question is asked whether compensation would set a precedent. The Library, with its usual skill, has produced the answer that the only precedent of companies being driven out of business by a Government order were those producing oral snuff and repeater rifles, although they were only a small part of the overall business. I do not know of a case in which an industry has invested to meet tight Government criteria, only to be wiped out overnight by a Government order. It must be possible to devise a compensation scheme that does not set a precedent for others.

It is not fair for head-boning companies to be driven out of business and their proprietors into bankruptcy. It is the Government's duty to find a way of compensating them. An increasing number of parliamentary colleagues share my view. The question will not go away until a method of paying compensation is found. The problem will not go away, and nor will I.

8.31 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): The hon. Member for Gosport (Mr. Viggers) mentioned just one category of the industry that has suffered the terrible side effects of the BSE crisis. I can think of a number of examples in my own constituency. A producer of quail and quail eggs found that his feed supply was cut off overnight as a result of the controls on contaminated feed. His flock of birds died and he now faces ruin.

Welsh farmers are deeply unhappy. They are sceptical of the Florence deal and of the cumulative negotiations of recent weeks. What estimate has been made of the impact on the dairy industry in south-west Wales—it used to be called Dyfed—which is an enormously important milk area? What estimate has been made of the impact of the slaughter of a large number of milking cows in the accelerated scheme? Those animals will be at the peak of their production at the time they are slaughtered. What estimate has been made of the future for milk production? What percentage of the dairy herd is likely to be lost? What effect will there be on the milk processing industry and associated activities?

I hope that I am right in assuming that the Secretary of State for Wales has commissioned a study of those issues and will give urgent consideration to reconstructing dairy herds and rebuilding the processing industries. Will compensation amount to the replacement value of herds, not just the market value? Will there be a payment for commercial loss? That is the only basis on which farmers can reconstruct their herds. South-west Wales has already seen the closure of the Whitland creamery as a result of the disgraceful decision by Dairy Crest to make that facility available for sale. That closure is costing about £1 million a year in transport to carry raw milk out of the area. It would be intolerable to lose more processing capacity as a consequence of the accelerated slaughter scheme, on the basis of an eradication programme for which there is no scientific evidence.

The second aggrieved group are producers of beef under 30 months old. The Government's recent decision to reduce the supplement for cattle more than 30 months old to 15p a kilogram has been justified by the disparity between the total payment producers are receiving and the market price for beef animals younger than 30 months. The Farmers Union of Wales and other organisations argue, with every justification, that the remedy is to raise receipts from animals under 30 months by producing a deficiency payment scheme. Current losses are severe and, unless something is done, many producers will be driven into bankruptcy. We cannot afford a loss of holdings and a permanent reduction in the number of farmers. I shall not go into all the arguments why such a loss cannot be suffered at this time, but I do not accept the fashionable view that a further reduction in the agricultural population is inevitable and even necessary.

The third aggrieved category is a small sector in the Welsh livestock industry, whom we hope will qualify for the quality beef assurance scheme. How many producers will qualify for that scheme in Wales? The number affected is relatively small, but the injustice of their predicament should be addressed. That question raises the wider issue of the tragedy of the 30-month rule, which will provide an incentive for intensive patterns of beef production at the expense of extensive production when the industry ought to be moving in the opposite direction. The BSE crisis has demonstrated the perils of intensification and the relentless drive to increase productivity per animal and per worker at any cost—growth for growth's sake. The Countryside Commission was reported in the *Financial Times* as saying that the BSE crisis could force many smaller beef farmers out of business or that financial pressures could force them to produce more intensively. The commission stated:

"The farming landscape will become more homogeneous as fields are ploughed up instead of grazed."

The commission added:

"We are very concerned that marginal land currently grazed by cattle may be abandoned."

One consequence would be significant environmental loss.

The Royal Society for the Protection of Birds stated in the same article that the crisis could put back its campaign to encourage mixed farming if farmers abandon the livestock sector. It is suggested that the Government intend to find the £1 billion or more required to pay compensation by cutting environmental programmes. I am sure that the Government will grasp the opportunity to deny that benighted approach. We should be encouraging what the French call biological farming, which takes the form of low-input, extensive and sustainable patterns of agriculture.

For environmental reasons, and bearing in mind the problem of feeding an expanding global population, with little prospect of doing so at this time of increased food production, the conversion of grain into meat through intensive systems should be discouraged. The production of meat from grass should increasingly be seen as the norm and something for which to aim. One tragedy of BSE is that it is likely to bring about the opposite effect.

I have appreciated the intervention of the Welsh Office and Welsh Office Ministers in ensuring that certain abattoirs have been brought into designation for the 30-month scheme. That is an important intervention. Some abattoirs in my constituency were facing ruin but are now active and have the prospect of survival to fulfil an important function in the future.

Bearing that in mind, as has been said already, there is a crying need for additional rendering capacity; that is despite the fact that we hear about cold storage becoming available and about incineration without the need for rendering. I urge the Secretary of State for Wales to provide the assistance which may be necessary to enable existing plants, which are not currently in operation, to meet the environmental standards that will enable them to be brought on stream. I can scarcely think of a better use for economic development funding than to enable that to happen. There would be beneficial effects which would spread throughout agriculture and the local economy.

The priority now must be getting the system working and for farmers to be convinced that it is working and to get all the information that is necessary.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order.

8.41 pm

Mr. Edward Leigh (Gainsborough and Horncastle): It appears that three charges have been brought today by the Liberal Democrat spokesman, the hon. Member for North Cornwall (Mr. Tyler), against my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, the Government and Euro-sceptic Members. It does not seem to me that those charges have been proven at all, certainly not beyond reasonable doubt.

What is the charge against my right hon. and learned Friend the Minister? Is it that he made the wrong decisions in the 1980s? That charge does not stand up because he was not the Minister responsible. Is it that he has been dishonest? The truth is that he is palpably honest. He is one of the most honest Ministers that we have ever seen at the Dispatch Box. He is honest to a fault. He has constantly made it his business to come first to the House of Commons. Should he have gone first to the Commission or to television studios? He came to the Dispatch Box. Is it that he does not have the intellectual capacity to do the job? Nobody suggests that. Is it because he has apparently said the wrong things on television? My hon. Friend the Minister of State dealt with that point very well. Most of his pronouncements have been proved to be entirely true and have been vindicated by events.

The worst that can be said of my right hon. and learned Friend is that, apparently, some unnamed officials in Brussels have said that he was not prepared to bring a framework to the discussions. I have been listening to numerous statements over the past month or so and I have constantly heard Ministers bringing forward numerous proposals for various ways of dealing with the problem.

The charges against my right hon. and learned Friend are nonsense. They have not held up in the debate. This is, clearly, a politically inspired attack. That is okay, but it has diverted the attention of the House from what we should be discussing, which is how to eradicate this disease.

The second charge against the Government is not proven in any way. The disease is a mystery. It is an enigma in the riddle of the most complex of tissues, whether in animals or in man. Nobody yet knows what caused BSE and what is the link between BSE and CJD. There is the vague charge that the deregulatory nature of the Conservative Government has, in some way, caused the problem, but that has never been proven in any way.

The third charge that has been brought against my colleagues is that, somehow, those of us who are opposed to a federal Europe have caused this problem because we encouraged the Prime Minister in some unaccounted way to launch his policy of non-co-operation with Europe. It is all our fault and we would have got a much better deal weeks before had it not been for the policy of non-co-operation. The only evidence to support that theory is what the Commission says. Do we really expect the Commission to say, "Oh yes, your policy of non-co-operation has really worked"? Of course it would not say that. Does anybody think that we would have got the deal this weekend if there had not been a policy of non-co-operation? The Commission was offering nothing. I do not blame the Germans. There is a crisis of confidence in beef eating in Germany. There would have been no question of the German Government allowing anything to go through but for the robust policy carried through by my right hon. Friend the Prime Minister.

The various charges do not add up. The Liberal Democrats have done the House a service today by allowing us to deal with all the charges one by one and show that they are not the kernel of the problem. In fact, the kernel of the problem consists of some serious questions to which my farmers—I represent one of the most agricultural areas in the country—would like some answers. The Liberal Democrat spokesman could have asked those questions when he opened the debate. He did not tell us how he would have got an agreement or how many cows he would have offered up for slaughter. He does not know. This was not a perfect agreement, but it was the best that we could get. The hon. Member for

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North Cornwall knows that and that is why he spent most of his speech making rather nasty personal attacks on my right hon. and learned Friend the Minister. He wanted to disguise, as do some other hon. Members, the fact that his party does not have a better solution.

What are the serious issues about which we could be talking, leaving aside politics for a moment? First, I am worried about the nature of the vets' committee. At the end of the day, the vets report to their national Governments. Apparently, we have received reassurances that, if the vets are not acting in a scientific manner, the Commission can step in. Of course, the vets will never admit that they are acting in an unscientific manner. They never have done and they never will. We want to have further and better particulars on the problem of the vets.

Secondly, there is the worldwide ban about which I feel strongly. It is outrageous and is an unparalleled and grotesque infringement of national sovereignty. We are being told that we cannot export beef to South Africa, with which we enjoy friendly relations. It is almost a developed nation, with a long history of careful management of its food and animal sector. I believe that we should continue the battle and insist that progress is made. The Commission says that it cannot allow beef to be exported to third-world countries when it is not considered safe in Europe. We are eating British beef and we are the best judges. Consumers worldwide are the best judges of the safety of beef, not the Commission and not the Governments. We must do much more about that ban.

Mr. Nirj Joseph Deva (Brentford and Isleworth): Is my hon. Friend aware that there are various countries that would like to import British beef? However, on the basis of a treaty agreement on what is known as the deflection of trade—if one exports to a third country and it comes back into the Community—the Community has banned the export of British beef. If we can prove that the beef is consumed in the third country, I see no reason why it should not be exported.

Mr. Leigh: My hon. Friend has made a good point.

The third point with which I want to deal is the backlog. The Minister assured us in the Agriculture Select Committee last week that the backlog could be dealt with by the back end of October. What worries me is that, if we are dealing with the backlog in the present slaughtering programme of 30-month-old cows by the back end of October, how can we get to grips with the new culling policy, which has been insisted on by the European Commission and our partners, and resolve the problem by November? Those are serious questions relating to the vets' committee, the backlog and the worldwide ban. It is a pity that we did not hear more from the Liberal Democrats about those problems. We need to start getting to grips with them, because they are the problems about which our farmers are concerned.

We are schizophrenic on the European issue in the Chamber. We complain about member states and we rely on the Commission, but we also complain about the activities of the Commission because we see those activities as an infringement of our national sovereignty.

The political message of this whole sorry saga is not that a particular Minister or the Government are at fault. That charge has not been sustained, and it is a gross oversimplification of the issues. The political message of this sorry saga is that hon. Members must sort out—probably on a cross-party basis—our constitutional relationship with Europe. Do we want to surrender powers over food hygiene to the Commission, which is a non-elected international organisation, or do we want them dealt with here?

I am convinced that the only way in which we will ultimately deal with these problems is by giving the decision to the people. If this saga proves one thing, it is that the people must decide. There is no point in my suggesting a form of words now, but eventually—in a couple of years' time, in 1999—some of our fellow members will be moving to a single currency, and that will provide a good opportunity for a Speaker's Conference to phrase a series of questions to be put to the British people.

Do the British people want to move towards a federal Europe, in which all these decisions on food hygiene and BSE are ultimately taken by the Commission and by the Council of Ministers, voting by qualified majority voting? Do they want to support the Government's current attitude, which is that we will remain committed to the treaties but that we try to exercise a type of blocking mechanism? Do they want to renegotiate the treaties to ensure that this Parliament and our courts are sovereign—or do they want to get out of the European Union altogether?

Ultimately, the House—all three political parties—must present a decisive policy. We can move together on the basis of a sound relationship with Europe, whether it is on a basis of free trade or of moving towards ever closer political, economic and monetary union. That is perhaps the political message of this saga, but one thing is absolutely certain: the honest truth is that no hon. Member, in any political party, could have got a better deal in the circumstances than that achieved by my right hon. Friend the Prime Minister on Saturday, unless we were prepared to act illegally. There is not yet a consensus in the Chamber to act illegally.

8.51 pm

Mr. John Home Robertson (East Lothian): It is a pleasure to hear a Euro-sceptic on the defensive at last. The hon. Member for Gainsborough and Horncastle (Mr. Leigh) has given the game away—he is more interested in the illusion of sovereignty for this "fortress little England" that he dreams of than he is in the interests of the British economy. Does the hon. Gentleman seriously think that consumers in Germany, France and Italy would be more likely to want to buy and eat beef from Scotland or from other parts of the United Kingdom if Britain was outside the European Union? What a load of nonsense.

I should preface my remarks by declaring an interest, as a farmer. I also apologise for the fact that I was not in the Chamber at the beginning of the debate, because I have just returned from a visit with colleagues on the Anglo-Irish parliamentary body to the Republic of Ireland. I spent this morning at a slaughterhouse in Ireland, where our Committee was examining the effect of the BSE crisis on both parts of the island of Ireland, as well as in Great Britain.

It is worth mentioning that the export market of the Republic of Ireland has suffered grievously—despite the fact that it has had only 127 cases of BSE and every

animal in herds in which BSE has been identified has been slaughtered, at considerable expense, in addition to other measures. Obviously the Irish beef export trade has not suffered as much as ours, however, as ours has been banned. All beef-producing countries have suffered because of the collapse of confidence in beef. It is in their interests, as much as in ours, that we get our act together and solve this problem, to restore consumer confidence in export markets.

I hope that the Minister will acknowledge the support that British interests have had from some Governments in the European Union, particularly the Government of the Republic of Ireland, in helping us to resolve the situation. We have made it very difficult for them.

It is nonsense for the hon. Member for Wolverhampton, South–West (Mr. Budgen) and other hon. Members to claim that the settlement reached last week was a result of the British Tory Government's policy of serial vetoing of dozens of measures—which included drug controls, police co-operation and overseas aid. How on earth can we expect to make friends among our partner Governments or among partner populations by conducting ourselves in that manner? It is ludicrous.

Speaking as a farmer, and having spoken to many farmers in Scotland in recent weeks, I must say that the farming community is dismayed by the Government's counter-productive conduct. There is no doubt that this idiotic conduct of vetoing everything and seeking to make enemies among our partners has set back our interests. We need to make friends and to rebuild our markets rather than going out of our way to make enemies, as has happened.

Serial vetoing is infantile. The Government have been behaving rather like a spoiled child throwing a tantrum. It is not only ridiculous but counter-productive. We need friends among the other European Governments and among the consumers in our export markets.

I share the misgivings expressed by hon. Members on both sides of the House about the nature of the package which has been negotiated, because I do not think that it is based on science. I am not sure about merely plucking a number out of the air and saying that a given number of cattle will be slaughtered. It might be necessary from a marketing point of view to take surplus cattle off the market, but whether it reduces the risk of BSE or CJD is far from proven.

I strongly support the comments made earlier by my hon. Friend the Member for Linlithgow (Mr. Dalyell) about the need for clearer science and better resources for science so that we can get a better understanding of what we are dealing with. Where did this condition come from? What is the extent of the real risk to humans, and how will we eradicate it? Those are the fundamental questions that are probably being grappled with now, but it is a great pity that those areas of science have hitherto been so under-resourced.

I conclude this brief speech by reminding the House that the objective of this whole sorry affair must be not to try to aggravate the German Government, the German population and other partners but to make friends. If we want to export again, as is essential certainly for the Scottish beef farming industry, we must persuade people on mainland Europe that our beef is high quality and safe.

Conservative Members prattle on about sovereignty. The hon. Member for Gainsborough spoke about South Africa. My understanding is that South Africa—like Singapore, Australia, the United States and so many other countries outside the European Union—itself decided to ban imports of British beef. The European Union wants to help to ensure that we have a safe product that can be marketed safely without tainting the image of European produce in other countries. What type of sovereignty was the hon. Gentleman talking about? Those countries are entitled to ban imports if they feel that they are unsafe. We must persuade them that there is no need to do so. He was turning the concept of sovereignty on its head.

It is in the interests of our farmers and of the nation to restore confidence in this product. I am afraid that the conduct of the British Government has set back that objective—certainly by months, but I fear by years. We must start now to put the situation right.

8.57 pm

Mr. Patrick Nicholls (Teignbridge): In one narrow sense, I agree with the hon. Member for East Lothian (Mr. Home Robertson). He talked about the need for us to make friends in Europe. The lesson of this whole unhappy affair is that, when push came to shove, after 25 years in Europe we did not have sufficient friends. We can have a debate, perhaps on another occasion, about how that came about; I have my own views.

In the most extreme crisis we have faced in our membership of the European Community, we had to resort to tactics that were nearly illegal because we did not have any friends. However we got into that position, that is where we are. Can one imagine that the hon. Member for East Lothian, faced with a situation in which no progress was being made, would say, "We must not upset anybody; we must wait for our friends to rally round"? Even the hon. Gentleman, although he may have been speaking in a hurry, should realise that, when push came to shove, we did not have those friends.

The hon. Member for North Cornwall (Mr. Tyler) concentrated on two points. First, there was the attack—whatever language we use, it was a personal attack—on the conduct and character of the Minister of Agriculture. There is nothing wrong with political dispute about means and ends on the Floor of the House; that is perfectly understandable. With BSE as with everything else, there will obviously be different views and different conclusions.

The hon. Gentleman and I accept the relevance of friends; we draw a different conclusion about what follows. We can usually conduct our debates without saying that a particular Minister is personally at fault and to blame. However, that is the territory on which the Liberal Democrats chose to conduct the debate—*[Interruption.]* They cannot now get huffy about that.

I cannot see that my right hon. and learned Friend the Minister of Agriculture has done anything wrong. He has conducted himself with dignity, with calmness and with rationality. The only real allegation that seems to be made against him is that people in Brussels do not like him. I find it more encouraging to be told that Brussels does not like one of my Ministers, when my country is being treated disgracefully, than to listen to the Chancellor of Germany saying that he looks forward to the time when, as he sees it, the Leader of the Opposition may become Prime Minister of this country. He seems to believe—he is probably right—that the Leader of the Opposition would be more accommodating.

[Mr. Patrick Nicholls]

I do not like the idea of a Leader of the Opposition acting as a bookie's runner for the Chancellor of Germany. I prefer it if one of my Ministers, battling for this country, does not get the approval of Brussels. If that is the basis on which my right hon. and learned Friend the Minister is accused, it is not a bad position from which to start. His behaviour has been absolutely unimpeachable, and I would have liked to think that, whatever political controversy there may be between us, the motion could have been framed differently.

I was saddened by the speech of the hon. Member for North Cornwall. I hope that it does not embarrass him too much for me to say that I have always had a high regard for his talent. Outside the House, I have enjoyed many interesting conversations with him, and I can think of odd occasions when he has virtually outflanked me on the right. There we are; life is a curious thing.

I have a high regard for the hon. Gentleman. His speeches are normally a great deal better than those of his colleagues; to some extent, that is a reflection on the political company he keeps. Even if the political company were better, I believe that his speeches are usually worth listening to, well measured and well structured. I pay tribute to his work on organo-phosphorous compounds and in moving that debate forward.

Having said all that, I do not think that the hon. Gentleman's speech this evening was his finest hour. I am sorry to have to say that I thought that it was a shoddy, shabby speech which was unworthy of him. What he was saying was, "I am against this deal; this deal is entirely wrong." When I asked him whether he was saying that he did not approve of the cull, he said that he would deal with that point later on. He did not.

When the hon. Gentleman was asked what, if he did not like the Government's policy, his policy was, he came up with the sort of reply that brings politics into disrepute. He said, "It is my job to criticise. It is not my job to come up with any solutions."

Mr. Tyler: I did not say that at all.

Mr. Nicholls: The hon. Gentleman says that he did not say that. It might be an idea for him to look at the *Hansard* record tomorrow. He gave no alternative to the Government's policy. Instead, he simply said that the deal was wrong.

What, by implication, was the hon. Gentleman saying about the deal? Was he saying that he and his federalist friends could have got a better deal? Is that really credible? Is that the unilateral argument? If the hon. Gentleman's party ever held sway in the Government of this country, would it go into the chancelleries of Europe saying, "I want to give away my veto, because I find it embarrassing"? Would it say, "The veto conflicts with my federalist ambitions, and I want you to know in advance that, whatever you do to me, I shall ultimately put up with it, because I will never rely on a veto for this country"? That is the hon. Gentleman's position.

To use a phrase used many times in the House in a slightly different context, to suggest that one can go naked into the negotiating chamber and then come out with a better deal than was got in the circumstances is completely fanciful.

What does it amount to? Are we supposed to accept that the only reason why we did not get the right, just deal was that we were rude to the Europeans? Is that what we should be saying about our partners in Europe? Is it the federalist position that, if we were nice to them and sucked up to them, they might have given us a better deal, but because the Government were horrid to them, we did not get the deal?

The Government decided on a policy of non-co-operation—which goes against the grain of the way in which Conservatives feel they should conduct themselves—not as a jingoistic prelude to a football match with Germany, but because we had absolutely no choice. There was nowhere else to turn. We could either go on for ever and a day getting precisely nowhere, or we could tell our European partners that it was not sufficient. That is why we conducted ourselves in that way. Of course it is not a great deal, but it is the best that could have been achieved in the circumstances, and it is much better than many people thought possible.

When the hon. Member for North Cornwall tried to bolster his case by quoting a letter from the NFU, it really was not his finest hour. He used the letter from the NFU to raise the spectre of anything up to 150,000 cattle being slaughtered. When I asked him to continue with the letter and read out its conclusion, he did not want to do so. That is hardly surprising, as he was trying to represent the letter from the NFU as a condemnation of the Government's policy. My interpretation of the letter and its conclusion was precisely the opposite.

The conclusion of that letter needs to be put on record for exactly that reason. It states:

"The NFU welcomes the fact that the Prime Minister has now indicated that he anticipates that the ban on the export of British beef products could be raised by November of this year. We also welcome his assurance that the European Commission has the power to override the Standing Veterinary Committee if that body appears to be taking factors other than the purely scientific and technical ones into account.

Should such a position arise, the NFU considers that the Government should immediately halt the selective cull scheme. The whole beef crisis has been far too bedevilled with politics rather than based on good scientific advice and cool rational judgment.

The NFU pledges to do all it can to co-operate with the relevant authorities to ensure that the export ban is lifted on the timetable referred to by the Prime Minister if not earlier. It is essential that, for their part, the authorities pull out all the stops so that this can be achieved."

[Interruption.] The hon. Member for North Cornwall barks from a sedentary position, "Would they withdraw co-operation again?" His party would not do that. The Liberal Democrats have made it abundantly clear that there is absolutely nothing that our European partners could do to the hon. Gentleman and those of his colleagues who bothered to turn up to their own debate to make them exercise a policy of non-co-operation.

Mr. Tyler: Would they?

Mr. Nicholls: The hon. Gentleman barks out, "Would they?" Of course the Government would. It is implicit, and it is not a question of saying, "Take our word for it." When we had no alternative, we made it clear that we would introduce a policy of non-co-operation.

The whole logic and sense of the agreement that the Prime Minister brought back is that the timetable of complying with the criteria is in our hands, but that if,

having complied with the criteria, the hon. Gentleman's friends in Europe still refuse to lift the ban, we shall revert to a policy of non-co-operation. The position is as plain as it could possibly be.

It is not ideal, but on that record, who could not believe that the Conservative Government were prepared to exercise a policy of non-co-operation to stand up for their country's interests? Who could not believe that we would not do it again, and who could believe that the grinning hon. Member for North Cornwall would ever summon up enough courage and strength to stand alone in Europe and not co-operate if that was what it took?

The hon. Member for East Lothian (Mr. Home Robertson) spoke about our lack of friends. At times I find it difficult to be friendly towards an institution which has wrought such devastation on my constituents in Teignbridge. When I consider what the beef crisis has done to the well-being, peace of mind, livelihood and sanity of many of my friends and constituents, I am appalled. It is difficult to be friendly in those circumstances.

Perhaps we should ask ourselves how we ever got into this position in the first place. The hon. Member for East Lothian asked how we could think for a moment that, just because we behaved in a certain way, the markets would suddenly open up to us again. It is a fair question, which deserves an answer.

Nobody who looks at the evidence can think for one moment that this business has been caused by any great fear based on science. To be fair to the Germans, brutal as they are, they do not even pretend that that is what it is about. Within 24 hours of a ban being imposed, German Foreign Office spokesmen said that the ban would not be lifted until the Prime Minister made some concessions at the intergovernmental conference. They made it perfectly clear then that their approach was based not only on safety but on getting other political mileage.

I was recently in Belgium, where I talked to a number of Dutch people. They made the point in a perfectly casual way that they could not be blamed for not wanting the ban on derivatives lifted, since they had a nice little market in Dutch semen. They said that, if they co-operated in the lifting of the ban on derivatives, they would lose a market opportunity. That is the sort of language being used by our partners.

The problem is that, when we found ourselves in extremis, and, after 25 years, it might have been thought that real partnership might have come to our assistance, it was not there. Why? The reason is plain enough: we do not have a relationship with our European partners with which we feel comfortable and with which they feel comfortable. For the most part, they have ambitions that we simply do not share.

There is nothing wrong with our European partners wanting to link up in a federalist destiny, but it is not for us. Increasingly, they consider, and in the broader term rightly, that we have apparently gone into their club and tried to change its rules. We did that because the Prime Minister of the day—a Conservative Prime Minister—was not straight about what going into Europe meant. As a result, we find that we have a different vision of Europe, and Europe resents that.

There will come a point not when we withdraw from Europe—we cannot; it is there and a major trading bloc for us—but when we have to negotiate with Europe to find a relationship with which we are both comfortable. If we ever do that, it will mean that, should a crisis such as this ever occur again, we will be in a partnership and not find that rancour and bitterness mean that those who should be our partners have decided instead that they will take it out on us. That is the true lesson we must learn from this whole wretched, unhappy business.

9.11 pm

Mr. Tony Marlow (Northampton, North): I am very happy to follow my hon. Friend the Member for Teignbridge (Mr. Nicholls), who has spoken even more eloquently than usual. I am also happy to have heard the speech of my hon. Friend the Member for Wolverhampton, South–West (Mr. Budgen). He speaks quite well, but today he spoke exceptionally well.

I do not have an interest to declare. I am a farmer but do not have any beef. I have had beef cattle and I understand how desperate many of our beef farmers are, especially those who are producing prime beef, have been fattening beef, or have bought expensive beef and are not getting a high price for it on the market. Life is very difficult for them.

I have criticised my right hon. and hon. Friends in the Government and my party and those on the Front Bench because I have been concerned that we would be sucked, drawn into and consumed by something that we now look upon as a country called Europe. I have also been concerned that if my party were not successful, we would not be drawn into a country called Europe, but dragged kicking and screaming into it by both Opposition parties.

We have reached a watershed. The Conservative party is now at ease within itself. It is at ease with the public at large, and has a policy on Europe, which my right hon. Friend the Prime Minister has set out on many occasions. He believes in a Europe of nation states. I, along with my hon. Friends, believe in a Europe of nation states. The nation state comes first with me and Europe second, but I see no reason why we should leave the European Union if we can achieve a Europe of nation states.

I spoke to a very senior member of the Government soon after the crisis broke and asked what we could do about this desperate situation. I was told, "Actually, they have us by the short and curlies." We were in a difficult position, and that is the problem. All the power rests in Brussels—all the power rests on the other side of the channel. That is the reality. Opposition Members who criticise the Government and say that they would have done better must realise that the whole basis of their case has been disingenuous. They know where the power lies, but they have the cheek and the gall to criticise the Government.

The Government should be congratulated on the way that they have handled what has been the most difficult issue to face the country since the Falklands dispute. It required verve, nerve, imagination and courage, and the Government have shown them all. I congratulate my right hon. and learned Friend the Minister of Agriculture, with whom I have had regular conversations during the crisis. I also congratulate my hon. Friend the Parliamentary Secretary—who has been receptive to all points put to her—and my hon. Friend the Minister of State. They have had a difficult task—they have been in the eye of a storm—but have remained calm and resolute in difficult logistical circumstances and have tried to deal with the frustration of farmers. The Government have kept their cool and have come forward with the right policies.

[Mr. Tony Marlow]

Apparently, we should have "made friends" with the Europeans, as if Europe is about making friends. We are friends and partners with Europe, but Europe is not about "making friends"—it is about power politics, and it always has been. Anyone who thinks that Europe is about "making friends" and getting our own way by doing so is absurdly naive. The idea that someone who holds that view should get hold of the reins of government of this great country and go and try to "make friends" with Europe is absurd. Does one think that the French got an extra, redundant, unnecessary and extravagant Parliament in Strasbourg by "making friends" with Europe, or by standing firm? Does anyone think that the Italians, Spaniards and Greeks illicitly, illegally and improperly gained an extra tranche of milk quota by "making friends" with the rest of the Community, or by holding it to ransom? How naive, pathetic, stupid, wet and ridiculous can one get.

Mr. Nicholls: Don't get soft.

Mr. Marlow: My hon. Friend will make me forget my next point.

I have friends in the Labour party, and I have respect for it. Or rather, I had respect for the Labour party when it stood for something. There are still some people in the Labour party who stand for something. I have no respect for new Labour, which stands for nothing. Even worse than new Labour are the old Liberals or new Liberals, or whatever the mish-mash on the Opposition Bench call themselves. They criticise the Government and say that they could have done a better deal. How on earth could they have done that? All the power resides over there and yet the Liberals want to give Europe more power, so that we end up with no power over our country, our farmers and our future. How dare they put their argument in that way? How dare they try to deceive the British people?

We all know that it is an absurd deal, and that our beef is the best in Europe and in the world. We all know that it is wrong to kill perfectly healthy cows and take them out of the food chain when people around the world are starving. Why can we not use that meat in food aid? If someone has a one in three chance of dying from starvation, why can they not have that beef? We all know that the cull of cows is absurd and that it has gone too far, but there is nothing that we can do about it. The Government have been confronted with limits by our European partners and friends—or are they the people in Europe who are trying to steal a commercial advantage over us? That includes people such as Chancellor Kohl, who is in a flat panic about German consumers. Given the limits with which they were confronted—although it is an absurd deal—the Government have wrought a miracle, and have done far better than anybody else could have.

I have one final point—whither Europe? Europe will be with us, and we will be with it, only if we are at ease with it. Europe is changing; the country is changing. The Conservative party has changed and the understanding of the realities of Europe has changed. Europe may go for a single currency; there will be people in the single currency and people outside it. That means that there will be greater divisions in Europe than there are at the moment.

Britain has an opt-out from the social chapter and the single currency. Britain is going to have changes in the fisheries policy. Britain is going to become more different. Other countries are going to join Europe and they are going to be more different. We are going to have a Europe of variable geometry. That is the way of our salvation in Europe; that is the way that the Government are going. Going that way will set the British people free within Europe and give us more power and control over our affairs and more of the self-government that has been taken from us over the past few years. We shall get that only with a Conservative Government. The trash opposite would be on their knees; they would lie on their backs, kicking their feet in the air and asking for more.

9.20 pm

Mr. Malcolm Bruce (Gordon): It appears finally that the Euro-sceptics have taken over the heart of the Conservative party. I am moved that the Conservative party feels that it is unfair, unjust and disloyal that Opposition politicians should dare to criticise the Government. We take that as advance notice that shortly, when they are in Opposition, they will not venture to criticise the Government, but will show the total loyalty and support that they expect from us. The hon. Member for Northampton, North (Mr. Marlow) fails to recognise that if we had the Europe of variable geometry that he wants, we would have to negotiate to get the ban lifted, not with one Commission but with 14 Governments. If he thinks that his Ministers have the time and energy to do that and to run the country, he is deluded.

We have been criticised for the terms of the motion—for daring to suggest that the Minister of Agriculture should be held accountable to the House for the administration of agriculture policy. I must point out that that is supposed to be how our unwritten constitution works: Ministers take responsibility for policy delivery by their Departments. When their Departments fail to deliver, Ministers should be called to account to the House. A perfectly normal way to do that is by tabling a motion in the terms that we have used to demonstrate that a Minister and his Department have failed to deliver what was expected of them.

I must explain why we believe that the deal that the Government secured in Florence was the worst that they could have obtained. That was entirely due to their failure to act early enough and it was aggravated by their policy of non-co-operation. Last Thursday, before he went to Florence, the Prime Minister told the Leader of the Opposition:

"No animal that would not have been slaughtered is now to be slaughtered."

My right hon. Friend the Member for Yeovil (Mr. Ashdown) said:

"There is muddle, confusion and chaos . . . The Prime Minister"—

talking of the slaughter of more animals—

"says none, but the National Farmers Union says 66,000."

The Prime Minister replied:

"He is wrong on almost every aspect."—[*Official Report*, 20 June 1996; Vol. 279, c. 996-97.]

Yet on Monday, three days later, on his return from Florence, we were told that between 120,000 and 160,000 additional animals will have to be slaughtered. That was an abject surrender.

In addition, the Prime Minister claimed yesterday that he had a timetable for the removal of the beef ban; he has no such thing. He has his interpretation of what he hopes

can be delivered. He has no assurance from anyone in the European Union or the European Commission that says at what stage any of progressive liftings of the ban will be achieved. It will be determined by the institutions of the European Commission.

Mr. Nicholls: Some five hours after the debate began, will the hon. Gentleman say whether he has worked out the answer to this question: what deal does he think that he would have brought back?

Mr. Bruce: I cannot say what deal I would have brought back. *[Interruption.]* Just a minute.

Mr. Nicholls: But it would not have been this one.

Mr. Bruce: No, it would not have been this one. We would have been in the Commission at the outset negotiating specific proposals. We have assurances from the Commission that a slaughter policy of considerably fewer than 100,000 would have secured agreement if we had tabled it at the beginning rather than wait for 13 weeks and pursue four weeks of non-co-operation. The Government failed to act, blamed the European Commission for their failure to act and then secured the worst possible deal, the highest number of slaughtered cattle that could have been achieved by incompetence and the surrender of the administration of that policy to the European Union and the Commission. That is what the Government have succeeded in doing. That is no triumph; it is a disaster. If it is a triumph, it is the triumph of Jim Hacker, not of a Prime Minister who knows how to defend the interests of his country.

Farmers and people in the beef industry are now asking when they can reasonably expect to be able to sell British beef into foreign markets. The National Farmers Union welcomes the Prime Minister's belief that it will be October or November, but I have spoken to no one in the beef industry who believes that that is likely to be achieved. From listening to the last two speeches, I wonder whether we have a deliberate hostage to fortune so that the Prime Minister can let the dogs loose again in another three months in order to create an anti-European rant in advance of the general election. If that is the way in which British policy is to be determined, it is disastrously contrary to the interests of the British producers and the British farmers.

The constituency that I represent has a wider cross-section of beef producers than probably any other constituency. I have not only specialist beef farmers but three slaughterhouses, numerous meat processors, the transport industry, the rendering industry, the haulage industry and the refrigeration industry. Thousands of people in my constituency work in the beef industry.

Mr. Leigh: Tory gain.

Mr. Bruce: If the hon. Gentleman really believes what he just said, I can only introduce him to the members of the Conservative party who have resigned in the past 12 weeks and joined the Liberal Democrats because they see how incompetently the Government have handled their industry and the extent to which they have sought to make irrelevant political capital rather than to get to grips with a policy that will succeed in re-establishing confidence in the industry.

Mr. Nicholls: Will the hon. Gentleman give way?

Mr. Bruce: I have no intention of giving way.

The industry wishes to have answered a number of specific questions. I hope that, on this occasion, the Parliamentary Secretary will be prepared to answer them. She did not do so when I asked her questions at the end of the last debate on the industry, possibly because she was not able to do so.

The Prime Minister, the Government and, indeed, Ministers responsible for agriculture have said that they believe that the first lifting of the ban on meat products could apply to specialist herds. The hon. Member for Angus, East (Mr. Welsh) also raised this matter. The Government have not explained in ways that the industry can comprehend what is meant by specialist herds, how they will qualify, how many herds are likely to be affected or what volume that will mean. How will they be endorsed? How will the system be enforced? How will the guarantee be given in a way that will satisfy the European Union that we are offering a quality product that it can accept into its markets?

For example—this is a specific question—there is concern that farmers will be unable to prove that a 12, 18 or 24-month-old steer has been fed entirely on non-adulterated feedstuffs. They may well be able to give absolute assurances from their own knowledge, but proof will be difficult. The industry will appreciate it if the Minister can give some further guidance on how the Government intend to approach that difficulty. Lifting the ban on specialist herds could be an important first step, although when the Prime Minister says that he thinks that he can achieve that in October and the lifting of the ban on all beef under 30 months in November, one wonders why the distinction has such validity. It may be because he expects the time scale to be longer in reality.

Another measure that the Government have recently introduced is causing concern in terms of administration. I refer to their decision—the reasons for which are well understood—to offer an advance payment of £300 to farmers for cattle that are awaiting slaughter under the cull scheme. It has been put to me that those who are handling the slaughter of all cull cattle will face considerable administrative difficulties in determining which cattle have been the subject of the advance notice. That process may considerably complicate the administration of the cull. I would be grateful if the Parliamentary Secretary would say how it will be administered in a way that will not lead to delay, confusion and losses.

The hon. Member for Gosport (Mr. Viggers) again referred to companies that had been involved in the processing of head meat, a significant number of which have been affected. As the hon. Gentleman said, in good faith, these companies made significant investments in what was a perfectly respectable industry. The Government decided—on health grounds and without notice—to close the industry down overnight. The companies have not been offered compensation. I concur with the remarks of the hon. Gentleman in this regard.

The proprietor of one of the companies lives in my constituency. The companies are mainly family businesses that employ 20 or 30 people and are dependent on the capital raised, usually, on the security of the principal's house. They are facing bankruptcy. It is disgraceful that

[Mr. Bruce]

the Government do not accept any responsibility for the consequences of their decision to close those companies overnight. I understand that the companies propose to take legal action against the Government, but it would be gracious of the Government if they accepted that they should make a contribution.

A number of other people involved in beef production feel aggrieved because they are receiving little—or, in many cases, no—direct compensation and they are having to take the loss entirely. Again, this issue has been raised in the House before, but there has been no response from the Government. For example, those who are involved in the making of meat products, such as pies, have found that demand for their products has fallen by at least 50 per cent. and has not recovered. They have received no compensation. At the very least, the companies need substantial marketing assistance to enable them to reassure their customers that the meat that goes into their products comes from entirely approved sources, on exactly the same terms as cuts of meat. That might help them to re-establish the market.

In my constituency, people are involved in the transportation of live animals and of carcases and meat products. Many in the transport industry have been extremely hard hit by the downturn in the industry, and they have received no corresponding support.

The Scottish point of view is not entirely understood, but it is important that the Scottish dimension is fully understood, particularly by Agriculture Ministers. Scotland has traditionally been much more successful than England in the export market—a higher proportion of the Scottish product was exported. Although the home market has substantially recovered, the loss of Scottish exports means that the total market is considerably smaller than the recovered market south of the border.

As a consequence, specialist export companies—they have been almost entirely export led in the past—have had 90 to 95 per cent. of their business removed. They were the crème de la crème, the flagship, of our quality export promoters. Yesterday, I travelled on a plane with a senior executive of one of those companies in my constituency. He was on his way to Buckingham palace to negotiate his annual contract to supply the Queen with beef products. I am pleased that all foreign visitors who are entertained at Buckingham palace will be entertained with good Aberdeenshire beef bought from that supplier. As he said, "Good as it is to have the royal warrant, to have lost 95 per cent. of my business does not make for great compensation". He has failed to secure what he regards as a realistic offer for compensation for the meat that was in his stores when the ban was imposed.

The right hon. Member for Dumfries (Sir H. Monro) referred to the need to provide additional assistance to farmers in the form of various support mechanisms, such as the suckler cow and the beef special premiums—both of which are being reviewed by the European Commission—and the hill livestock compensation allowances. There is considerable anxiety in the industry about what will happen at the autumn calf sales. What Ministers say and their ability to deliver on those statements is extremely important.

If we rely on the assurances of the Prime Minister, the Minister of Agriculture or any other Minister that the ban will be lifted by October or November, it will have a significant effect on the autumn sales. If those assurances are based on no more than the Government's best hopes and endeavours, would farmers be wise to invest on that basis? Would they receive adequate compensation if they did so and the ban was not lifted until many months later? Farmers' confidence in the Government will be clearly reflected in the prices paid at the calf sales. The National Farmers Union for Scotland asked that that point be raised in the debate. It also asked what criteria must be met in order to facilitate the removal of the export ban on a herd-by-herd basis.

The Government have at least secured a framework that marks the end of the beginning of the crisis, but it is a long way from being the beginning of the end. The fact remains that we must proceed with our twin agreed slaughter policies and put them in place as a first step towards persuading the European Union that we are coming to grips with eradicating BSE and therefore it should consider lifting the ban.

I am genuinely puzzled as to how Ministers believe that the ban will be lifted by October or November. The Minister said in reply to my hon. Friend the Member for North Cornwall that he believed that the accelerated rate of slaughter under the cull policy would eliminate the backlog by perhaps October or November. However, if we must add another 120,000 or 160,000 targeted slaughter cattle to that total, he said that we would not achieve stability on the slaughter policy for another six to nine months. That is the date upon which the European Commission is likely to fasten and begin to lift the ban. Ministers should not give assurances that the ban will be lifted in October or November if they know that the Commission is not likely to be persuaded until several months after that.

I think that the hon. Members who spoke at the end of the debate have lost sight of the fact that we are not just 13 weeks into the crisis. The crisis did not begin with the announcements in the House and the introduction of the ban: it began in 1988 when BSE was identified as a significant problem. It is not a question of the wisdom of hindsight—many people called on the Government to implement targeted slaughter and compensation policies at that time, or shortly afterwards, in an attempt to eradicate the disease. I received letters from farmers seeking such measures. I passed them on to Ministers, but the Government refused to act because of the cost. Their failure to do so has landed us in a much deeper crisis at a much greater cost. It is crucial that we recognise the inadequacy of the Government's handling of the situation to date.

I repeat what I said earlier—there is no doubt in my mind and those of my colleagues that a better deal, with a smaller number of cows slaughtered, could have been secured weeks ago and could have been operating now. We would have already been several weeks nearer to the day when the ban will be lifted. That is why we have no confidence in the conduct of the Ministry of Agriculture.

That is the least of our concerns. What matters now is how we get from here to the day when British beef will be back in the export markets. We have to be satisfied that the Government have a policy, the details of which are understood by the industry, and that the machinery is in place to ensure that that policy is delivered. We can then get the European authorities to lift the ban. Our lack of confidence that the Government are capable, given their past record, of doing that means that the motion is

justified and well directed. Somebody else should take a lead on the policy to ensure that the ban is lifted sooner rather than later, because the present incumbents have conspicuously failed to do so.

9.40 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning): It is evident from the contributions this evening that the House is greatly concerned about the future of the beef industry and the trades associated with it. Clearly and rightly, all hon. Members who have contributed expect and demand that the Government—to use the NFU's words—"pull out all the stops" to improve and ultimately resolve the situation. If that had been the tone of the motion before the House, we could have taken the Liberal Democrats' contribution more seriously.

I regret that the Liberal Democrats' motion was based not on their concern for the farmers, the beef industry or the trades associated with it, but on a disgraceful attack on the Minister of Agriculture on a day when they know that he cannot be present. I do not question their challenge to Ministers on Government policy, but they are becoming well known for personal smears and underhand tactics that debase the politics and democracy of this country. *[Interruption.]* The Liberal Democrats can chatter all they like. They have had their say this evening and they chose the ground on which to bring this important subject before the House. It is contemptible, especially for people who purport to represent the agriculture industry, to bring such an important subject to the House under the guise of challenging someone who cannot be here to represent himself. As if that were not enough, at Prime Minister's Question Time today, the leader of the Liberal Democrats complained to the Prime Minister about the tone of British politics. That is typical.

The leader of the Liberal Democrats has attacked the policy of non-co-operation—and his troops have spoken on the same theme this evening—on the grounds that it not would deliver a framework and that Britain's standing in Europe would be irreparably damaged. He is wrong on both counts. We now have a clear framework for lifting the ban, which we would not have if we had not acted as we did.

Britain's reputation was being damaged by the bad faith and blocking tactics used by other member states. The Prime Minister went to international conferences at which Heads of Government publicly gave him support only to find, when the vote came, that the Ministers and vets of those countries reneged on their promises. There is a limit to how many times that can be acceptable to any Government. It may be acceptable to a Government that the Liberal Democrats envisage in their grandiose scheme for a federal Europe, but it was not in the interests of this country. The Government and the Prime Minister were not prepared to sell this country down the river.

The framework agreed in Florence has met the Ashdown test. In a letter to the Prime Minister on 22 May, the right hon. Member for Yeovil (Mr. Ashdown) said:

"The test for your gamble"—

non-co-operation—

"does not lie in lifting the derivatives ban . . . But in whether the outcome is an agreement on lifting the overall European beef ban by the end of June."

That has been achieved. The Government secured an agreement at the Florence Council on 21 June. The idea that simply mentioning the names of Ministers met during a quick tour of Europe, albeit for short briefings, would have produced a much more substantial agreement, is arrogant even by Liberal Democrat standards.

Mr. Tyler: I am grateful to the Minister for giving way in her customary polite fashion. If the Minister of Agriculture and the hon. Lady's colleague have done such a wonderful job, why did the Prime Minister decide to appoint the Chancellor of the Duchy of Lancaster to take charge of the 30-month cull and the Foreign Secretary to take over the leadership of the negotiations in Europe?

Mrs. Browning: Because we in the Conservative party work as a team, something which the Liberal Democrats purport to do, but cannot recognise when they see it in practice.

Three months ago, the hon. Member for North Cornwall (Mr. Tyler) called for all dairy cattle that could have had access to BSE-infected foodstuffs—cattle born before 1991—to be taken out of the food chain. In his press release issued on 26 March, he proposed a selective cull that could be spread over a full year. Given his commitment only a few weeks ago, I trust that he will support a selective cull just three months later.

We look forward to the hon. Gentleman and his party supporting that policy, because at the moment my hon. Friend the Minister of State and other colleagues of ours in the Department are working closely with the agriculture industry—

Mr. Campbell-Savours: That is a south-west matter.

Mrs. Browning: No, it is not a south-west matter. Many areas have a lot of animals that will come under the scheme.

We, and my hon. Friend the Minister of State in particular, are working closely with and formally consulting the industry, the NFU and the farming interests to determine how that policy can be taken forward. Given the written commitment of the hon. Member for North Cornwall to the policy, we look to him to play his part, and for his support, in getting right the details of the policy that will help in the lifting of the ban by the autumn, certainly its first stages.

The hon. Member for Edinburgh, East (Dr. Strang) made a constructive contribution. Throughout the debates on the subject, his contributions have been informed and certainly a lot more rational than those of the hon. Member for North Cornwall and his colleagues. However, on occasions, he is let down by his colleagues. The hon. Member for Peckham (Ms Harman) has not helped his cause. Tonight he asked the House to keep a sense of perspective by looking at the science and not creating scares over BSE and CJD. He is right to do so. I fully support his words and I hope that they will have been heard by his own colleagues and by other hon. Members.

The hon. Gentleman has also been let down by the leader of the Labour party, who I regret has not had the benefit of listening to him perhaps as much as Conservative Members have. The right hon. Member for Sedgefield (Mr. Blair) shows the two faces of the Labour

[Mrs. Browning]

party on this issue. Here in Great Britain, the official Labour party's policy is, as the hon. Member for Livingston (Mr. Cook) said, that

"the Government has adopted a policy of non-co-operation in Europe as its chosen means of ending the ban. Labour will give them our support in the national interest."

That was in May. We support and welcome that. However, it was disappointing to find that when the right hon. Member for Sedgefield was in Germany on 18 June, a week ago, he said:

"You should also know that no one has been more critical of our Government's handling of the BSE crisis than the Labour Party."

The right hon. Gentleman's words are not compatible with what the hon. Member for Edinburgh, East said at the Dispatch Box. There have been times when he has been critical, but in the main we have welcomed the support of the Opposition Front-Bench agriculture spokesman. I hope that the leader of the Labour party will refer to the hon. Gentleman's words.

Mr. Marlow: My hon. Friend probably remembers, as I do, a famous "Spitting Image" puppet of the then leader of the Liberal party stuck in the top pocket of the then leader of the Social Democratic party. Does the relationship between the leader of the Labour party and Chancellor Kohl remind her of that?

Mrs. Browning *rose—*

Mr. Deputy Speaker: Order. I do not know what "Spitting Image" has to do with the debate.

Mrs. Browning: I am probably too young to remember that.

We have heard constructive, concerned and well-informed contributions, particularly from my right hon. Friend the Member for Dumfries (Sir H. Monro) and my hon. Friends the Members for Weston-super-Mare (Sir J. Wiggin) and for West Gloucestershire (Mr. Marland). My hon. Friend the Member for Ludlow (Mr. Gill) concentrated on the European element of what we have had to negotiate. We also heard interesting speeches from my hon. Friends the Members for Wolverhampton, South-West (Mr. Budgen) and for Gosport (Mr. Viggers). My hon. Friend the Member for Gosport has been to see me; I know that he is very concerned about the position of head boners, particularly those in his constituency. As he is aware, I am examining that again. I do not wish to give him any indication that the decision can be reversed, but, as I promised, I have looked at it and will continue to look at it. I shall return to him as soon as I have done that.

My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) and my hon. Friend and neighbour the Member for Teignbridge (Mr. Nicholls) made important and persuasive speeches.

Mr. Malcolm Bruce: The Minister is persuaded only by her own side.

Mrs. Browning: Indeed, I am.

My hon. Friend the Member for Northampton, North (Mr. Marlow) made a theatrical contribution. The body language was really worth watching. None the less, he spoke with passion, conviction and sincerity. If every speech that we heard tonight had been made with passion, conviction and sincerity, we might have had a better standard of debate than was evident in some Opposition contributions.

Various schemes and aspects have been mentioned. I shall try to deal with as many as possible in the remaining time. Over the past few weeks, several hon. Members have asked about the cost of the various schemes so far to the United Kingdom taxpayer. At last Thursday's Agriculture questions, the cost over the next three years was quoted as being £1.5 billion. We have looked at the consequences of all the schemes, and I can now tell the House that the cost over three years will be £2.5 billion. I hope that hon. Members will accept that updated figure.

Mr. Campbell-Savours: Labour money.

Mrs. Browning: It is not Labour money. How typical that a Labour Member should shout that. There is no such thing as Labour money or Conservative money. *[Interruption.]*

Mr. Deputy Speaker: Order. The House must settle down, and I must say to the Minister that it is not always helpful to respond to sedentary interventions.

Mrs. Browning: Thank you for your guidance, Mr. Deputy Speaker. I shall ignore such interventions from now on.

Mr. Welsh: The Minister has increased the cost of all this by £1 billion in four days. How much more is to come?

Mrs. Browning: If we had not been prepared to put public money behind supporting this important industry, I have no doubt that the hon. Gentleman would be leaping to his feet demanding that we do so. There is no pleasing some people. You are right, Mr. Deputy Speaker: from now on, I shall ignore interventions.

Several hon. Members mentioned the mature beef scheme. I would have liked to be able to announce the implementation and full details of the scheme by now. The House will know that we have formally consulted on it, and representatives of the industry have been to see me twice during that consultation, but there is a delay, and I welcome the opportunity to explain it to the House.

The Spongiform Encephalopathy Advisory Committee has asked some specific questions about the detail of the scheme. I am sure that the House will understand that it is important that the scheme has SEAC's full support. When the committee meets on 2 July, it wants an opportunity to discuss two or three elements of the scheme in detail. It is not my place to lean on the committee. I want it to have full information and to reach its conclusion independently. Awaiting SEAC's recommendations is delaying the scheme, but I assure the House that once we have the green light, we shall be ready to go—and implementation will follow shortly thereafter. That responds to the concerns of the hon. Member for Angus, East (Mr. Welsh), because farmers in Scotland and in the regions are anxious to see the scheme up and

running. Once I have the full details of the scheme, subject to SEAC's approval, I shall bring them before the House as quickly as possible.

Mr. Roy Beggs (East Antrim): Given Northern Ireland's traceability regime and that its beef herds are relatively free of BSE, and as Northern Ireland is 80 per cent. dependent on beef for its exports, why are beef exports from there being delayed?

Mrs. Browning: The hon. Gentleman leads me to traceability. The House will be aware of the passport scheme that will be put in place, but I know of the computer database that tracks the movement of every relevant animal in Northern Ireland. My right hon. Friend the Prime Minister has said, in respect of the outcome of the Florence agreement, that it is hoped to move on exports in the autumn. I share the belief expressed by many hon. Members tonight that, initially, the market will reopen outside the EU rather than within it. When those important export markets are opened, traceability will be crucial. The public will be looking for guarantees over and above those that were given before. Northern Ireland will be well placed to take advantage. Although the passport scheme will provide much more traceability, ultimately we must move rapidly to a UK-wide scheme for tracking and tracing movement.

Mr. Campbell-Savours: Finally.

Mrs. Browning: I agree with the hon. Gentleman. Finally, tracking will be a prerequisite for many markets that want to re-establish trade in beef with the United Kingdom.

Mr. Beggs *rose—*

Mrs. Browning: I will not give way again.

The feed recall scheme is under way, and from 1 August it will be an offence for mammalian feed to be kept on farms, in stores or in mills. The hon. Member for Linlithgow (Mr. Dalyell) raised several points, particularly on research in the United States. I have the latest information, but it is detailed. It might be more helpful to invite the hon. Gentleman to the Department, so that we may discuss each of his points in depth. We have answers to them, but more work needs to be done before the results of that research can be considered conclusive.

The selective cull policy is designed to reduce the incidence of BSE more rapidly than relying on the reduction of contaminated feed. We estimate that without any slaughter policy, there would be just over 8,000 cases of BSE this year, 5,000 next year and 2,800 the year after. That is in any case an encouraging and rapid downward trend. The purpose of the selective cull is to reduce the incidence of BSE even more rapidly and to provide reassurance in the home and export markets.

Some hon. Members questioned the scientific basis for a selective cull. There is no perfect science for estimating numbers, but from our computer modelling, we can see that the selective cull will enable us to reduce the number of BSE-infected cattle much more rapidly. I believe that the industry recognises that that will be helpful.

I believe that we need to get the detail right with the industry and, as my hon. Friends have reiterated, the policy will need the co-operation and support of the House. We shall be talking to those involved in the industry over the next two to three weeks and we shall make sure that we listen to what they have to say about compensation for those animals that come forward, and we shall—

Mr. Archy Kirkwood (Roxburgh and Berwickshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 60, Noes 144.

Division No. 156] **[10.00 pm**

AYES

Ainger, Nick
Alton, David
Ashdown, Rt Hon Paddy
Barnes, Harry
Bermingham, Gerald
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Carlile, Alexander *(Montgomery)*
Chidgey, David
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Connarty, Michael
Corbyn, Jeremy
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Dixon, Don
Ewing, Mrs Margaret
Fatchett, Derek
Flynn, Paul
Foulkes, George
Godman, Dr Norman A
Hall, Mike
Hanson, David
Harvey, Nick
Hinchliffe, David
Home Robertson, John
Hughes, Simon *(Southwark)*
Jamieson, David
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Lewis, Terry
Loyden, Eddie
Lynne, Ms Liz
McFall, John
Maclennan, Robert
Maddock, Diana
Mahon, Alice
Maxton, John
Michie, Mrs Ray *(Argyll & Bute)*
Morgan, Rhodri
Nicholson, Emma *(Devon West)*
O'Hara, Edward
Pearson, Ian
Rendel, David
Salmond, Alex
Simpson, Alan
Skinner, Dennis
Steel, Rt Hon Sir David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tyler, Paul
Wallace, James
Welsh, Andrew
Williams, Alan W *(Carmarthen)*
Wilson, Brian

Tellers for the Ayes:
Mr. Archy Kirkwood and
Mr. Don Foster.

NOES

Aitken, Rt Hon Jonathan
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Bates, Michael
Batiste, Spencer
Beggs, Roy
Beresford, Sir Paul
Biffen, Rt Hon John
Booth, Hartley
Bowis, John
Brandreth, Gyles
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sir Sydney
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Conway, Derek
Cormack, Sir Patrick
Currie, Mrs Edwina *(S D'by'shire)*
Day, Stephen

Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hargreaves, Andrew
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Hendry, Charles
Hicks, Sir Robert
Horam, John
Howard, Rt Hon Michael
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Jack, Michael
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kellett-Bowman, Dame Elaine
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Norris, Steve
Oppenheim, Phillip
Porter, David *(Waveney)*
Powell, William *(Corby)*
Shaw, David *(Dover)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Skeet, Sir Trevor
Smyth, The Reverend Martin
Soames, Nicholas
Spencer, Sir Derek
Spink, Dr Robert
Sproat, Iain
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Townend, John *(Bridlington)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy

Tellers for the Noes:
Mr. Richard Ottaway and Mr. Roger Knapman.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the Government on securing a clear framework for the lifting of the European ban on British beef; welcomes the package of support the Government has provided to the beef industry over the last three months; and urges the Liberal Democrat Party to work with the Government to restore confidence in British beef instead of carping and criticising from the sidelines.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

ROADS AND BRIDGES (SCOTLAND)

That the Erskine Bridge Tolls Extension Order 1996, dated 18th May 1996, a copy of which was laid before this House on 22nd May, be approved.—*[Mr. Bates.]*

Question agreed to.

JUSTICES OF THE PEACE

That the draft Maximum Number of Stipendiary Magistrates Order 1996, which was laid before this House on 4th June, be approved.—*[Mr. Bates.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees).

CAP COMPENSATORY AID

That this House takes note of European Community Document No. 7181/96, relating to the integrated administration and control system for certain Community aid schemes; supports the Government's intention to continue to seek to safeguard expenditure from the Community budget; and shares its concern to ensure even and effective implementation of the integrated system throughout the European Union.—*[Mr. Bates.]*

Question agreed to.

CONSOLIDATIONS &c. BILLS (JOINT COMMITTEE)

Ordered,

That Mr. Andrew Mackinlay be discharged from the Select Committee appointed to join with a Committee of the Lords as the Joint Committee on Consolidation, &c., Bills and Mr. Gerry Sutcliffe be added to the Committee.—*[Mr. Bates.]*

Neath, Port Talbot (Local Government Settlement)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

10.12 pm

Mr. Peter Hain (Neath): When local government reorganisation happened in Wales, we were promised by the Secretary of State a "seamless transition" of services. That promise, in respect of Neath, Port Talbot especially and in respect of some other councils in Wales, has been broken. We have been especially badly hit by the budget settlement this past year in Neath, Port Talbot, and if things continue as they are, next year will be calamitous. Why is this?

First, the standing spending assessment formula is fundamentally flawed. It was devised in the early 1980s and has been made obsolete by the reorganisation of local government in Wales and the creation of 22 new unitary authorities. It is no longer appropriate, relevant or indeed accurate in relation to meeting need and delivering services. A new measure of need must be found quickly.

In reply to my question on 17 June, the Secretary of State said that Neath, Port Talbot received more revenue support grant per capita than the Welsh average, which was greater than the English average. However, that is a misleading comparison. The Welsh average should be greater than the English average, because gross domestic product in Wales is less and need is greater.

In Neath, Port Talbot, GDP per head is below the Welsh average, let alone the British average, and need is much greater. Services have to be provided to meet that need. If there were a proper formula that more accurately measured need, Neath, Port Talbot would receive an entirely different settlement—one that was not in any sense excessive, but met local requirements. Until such a fairer formula is found—and I appeal to the Welsh Office and to the Minister in particular to find one in time for next year's settlement—council tax payers will continue to be levied at an extremely high level.

Under the standard spending assessment formula, council tax payers should be protected through the damping scheme to avoid further crippling increases in their bills caused entirely by the inappropriateness of that formula. If there is any doubt about that, let us consider what has happened to the new Neath, Port Talbot county borough council compared with Swansea, the other half of what was West Glamorgan county council.

Whereas Neath, Port Talbot faced a council tax increase of 49 per cent. before damping, Swansea faced an increase of just 11 per cent. After damping, the increase was 25 per cent. in Neath, Port Talbot and 4.5 per cent. in Swansea. In no way can that disparity be justified, because the new authorities were simply continuing the existing level of provision of services in the area that had been covered by the former West Glamorgan county council.

It is absolutely vital that the Welsh Office recognises that discrimination. I am not suggesting that it was deliberate, and I hope the Minister will respond sympathetically to my special plea on behalf of Neath, Port Talbot, which is by far the most deprived part of former West Glamorgan.

I do not understand how the Minister can justify the fact that some Trebanos residents pays £90 more council tax than their neighbours on the other side of the village because half the village is in Swansea and the other half is in Neath, Port Talbot, when, until March, they paid exactly the same council tax for existing levels of service. The services have not increased. The whole system is in total disarray, and has been discredited. Proper protection should have been provided, and I hope it will be for next year.

The damping scheme is grossly inadequate. The Welsh Office considers the 25 per cent. reasonable, although it is some eight times greater than the rate of inflation. There is no way in which it can be justified. The Minister shakes his head, and I am glad that he agrees with me.

Neath, Port Talbot is not a profligate council, delivering services on an expansive basis that cannot be justified. It has simply continued the existing level of services. Why should there be such an increase when the Welsh Office promised a seamless transition?

Neath, Port Talbot has been forced into a difficult position through no fault of its own. In 1996-97, it increased its spending over 1995-96 by the maximum permitted 3 per cent. excluding community care. Virtually all other local authorities did the same, but Neath, Port Talbot faced a 49 per cent. increase in council tax, which was reduced to 25 per cent. after damping. That had nothing to do with the council. It is not as if Neath increased spending by some vast amount. It has operated within the maximum 3 per cent. determined by the Welsh Office.

I consider that either the damping scheme must be phased out and the council tax increase fully protected until a proper review of the SSA formula has been completed, or special provision, for which I am appealing to the Minister tonight, should be provided, if not for this year—I accept that it is probably too late—at least for next year. I hope that the review of the SSA formula will correct the enormous imbalance in the distribution of revenue support grant.

If the damping grant is phased out, together with the potential reduction in support grant per capita levels to match those in England, council tax bills will massively increase next year. That has been hinted at by some Conservative party sources. There could be a further 25 per cent. council tax increase next year, on top of the already savage increase this year, which will hit local people severely and be far beyond their ability to pay.

The capping limits are far too restrictive and do not recognise the proper need to spend. For example, in 1996-97, capping limits were set at 3 per cent. above the previous year's budget excluding community care transfers. That 3 per cent. was sufficient only to cover staff pay awards. It did not reflect other spending pressures, which arise as a result of the administrative cost of creating 22 new education and social services departments in Wales compared with the previous eight; the community care review; the effect of demographic changes; the Carers (Recognition and Services) Act 1995; costs of community mental health and people with learning disabilities; the landfill tax; and changes to the three for two school transport rule. Many of those pressures are entirely outside the local authority's control. On top of that, the Adrienne Jones child care report on services in north Wales is expected to lead to increased pressure for extra provision in social services budgets across Wales.

[Mr. Peter Hain]

I hope that the Minister, who I know understands these issues, does not simply give us the same tired, old, almost flippant response that all we need is more efficiency. Efficiency savings have been pursued by Neath, Port Talbot, and are being by the new authority. There is no doubt that it can cut some of the fat off the edges, but such savings are minuscule compared with the huge cuts and council tax increases that we have already had to endure, and which could be worse next year.

Another problem concerns supplementary credit approvals. Although the Welsh Office has rightly recognised that councils need additional help to finance new items such as refurbished administrative building, IT provision, rationalisation of new telecommunications facilities and so on, and that councils can borrow to fund them, it has not allowed for loan charges within the capping limits. Unless that is changed, Neath, Port Talbot will face an extra bill of £250,000 in loan charges simply as a result of the extra borrowing that the Welsh Office has authorised. If the Welsh Office is authorising that extra borrowing, it should surely allow it to be funded under the capping limits. The capping limits should therefore be increased.

For the benefit of the House, I should like to refer to some of the extensive cuts that have occurred. For example, in the education delegated budgets, there will be 35 fewer teaching posts and five fewer non-teaching posts in the county borough by September—even though an extra 160 pupils are anticipated. In other words, pupil numbers are going up and the number of teachers is going down. How can that possibly address what I believe is a mutual desire to increase standards in local schools?

It is possible that some schools will not have sufficient funds to meet unforeseen contingencies during the remainder of the financial year. Class sizes will increase at secondary and primary level. I am told that, at secondary level, there will be an impact on subject choice offered to pupils at key stages 3 and 4. Nobody wants that—certainly nobody in the county borough. That is being forced on them.

Cuts will affect leisure facilities. It is being required that increased charges are to be levied on schools where previously provision was either free or there was a nominal charge. An extra £180,000 has to be found so that local schools can use swimming pools, playing fields, and so on. That is intolerable. We want to encourage pupils to take part in more sport and to enjoy swimming, but that will be not possible this year.

The peripatetic music budget has been cut by £150,000. I am sure that my right hon. and learned Friend the Member for Aberavon (Mr. Morris) will agree that we are proud of the music provision in our schools. As someone who came to the area from London six years ago, I have been amazed at the level of music provision in local schools, which I see at concerts in my local secondary schools every year. But the budget is being cut.

The price of school meals has been increased, and reductions in youth and adult services will hit the community. At a time when youngsters are roaming the streets with nothing to do, we ought to be encouraging extra youth facilities and not cutting them. The reduction in the special educational needs budget has been severe, and there have been significant reductions in office staff.

The library service is being cut in terms of opening hours, and we face library closures. Staff reductions in the library service are also being considered. Social services must deal with a £2 million cut in their budget, which has reduced the authority's capacity to place, for example, victims of sexual abuse in specialist accommodation. There has been a £500,000 cut in community care, and cuts have been made in mental health services, in home care support and in staffing levels generally.

As I said, leisure services have been cut. One of those cuts can be illustrated perfectly by the example of a family living in Croeserw in the Afan valley in the constituency of my right hon. and learned Friend the Member for Aberavon, where the local swimming pool was closed because the council could not afford to keep it open. The family of four wanted to swim, but had no transport. They had to spend more than two hours travelling by bus from home to the aquadome at Aberavon beach, which cost them £12.50, and it cost them £7.50 to get in—all this when they could have gone to their local swimming pool. That is intolerable in an area of low incomes and high unemployment.

The Tonmawr 2000 scheme has been developed by local people and has attracted grants form the Welsh Office, for which we are grateful. It has been visited by three successive Secretaries of State for Wales, including the present incumbent. Despite this, and despite its capital funding, there is insufficient revenue funding to keep it open. It is £30,000 short, and it will have to close in August. Technical services are being cut, as are concessionary bus fares for pensioners, transport services for schools and transport services for the valleys—the last are desperately needed in areas where car ownership is very low.

All sorts of direct services are being cut, and next year—I have described what we are facing this year—could be absolutely catastrophic. I appeal to the Minister to look at the situation in Neath, Port Talbot, where masses of teachers could be made redundant next year. Local authority estimates suggest that, on present trends, 60 to 70 school-based redundancies are possible, and 130 to 170 teachers could be made redundant if there is not a decent provision next year.

I appeal to the Minister to be far more generous. Unless he is, social services will be cut even more savagely, as will school services and budgets. Reserves will be exhausted, and leisure services, direct services and maintenance of roads and other facilities will be cut.

This is not an attempt to make party political points or to bring scare stories into the Chamber. I am not making a ritual plea for extra spending from a profligate Labour council. This council has taken over existing service provision in areas of high unemployment and deprivation, and has sought to cope with it. Neath, Port Talbot county borough council is a victim of special circumstances, and has been a victim of discrimination in the way in which the funding formula has been worked out. I urge the Minister to respond positively to the plea, and to solve the problem for next year.

10.28 pm

Mr. John Morris (Aberavon): As I am anxious to allow the Minister time to reply, I will say only a few words in support of the able speech by my hon. Friend the Member for Neath (Mr. Hain) on behalf of his and my constituents.

I anticipated in my speech to the Welsh Grand Committee on 29 November the dire state in which our constituents would find themselves if nothing was changed. I spoke to the Secretary of State on the eve of the announcement—unfortunately, to no avail. The situation has been revealed in the past few months by the amounts that have had to be levied in tax increases, which have been wholly disproportionate for that part of West Glamorgan that has gone to Swansea and that part that has gone to Neath, Port Talbot and Upper Lliw.

The situation is worse than we anticipated. On top of that, the new council has had to slash education and other social services and the balances have had to be used. That cannot be repeated. The formula for distribution will have to be changed substantially. That has had to be done in the past; I had to do it in my time. I invite the Minister and the Secretary of State to go back to the drawing board to get it right for the future.

10.29 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): I acknowledge the courteous contribution of the right hon. and learned Member for Aberavon (Mr. Morris). I am glad to have the opportunity to respond to the hon. Member for Neath (Mr. Hain). I will try to set the record straight on Neath, Port Talbot's funding.

Naturally, there has been considerable interest both inside and outside the House over the past few months in the Welsh local government revenue settlement. In the limited time available, I do not intend to dwell on what has already been well rehearsed. Tough choices have to be made, but it is a matter of record that I consider it a reasonable settlement that furthers the Government's aim of restraining public expenditure while providing a reasonable spending opportunity for local government.

In that, we are asking no more of local government than of other parts of the public sector in Wales. It is fair that local government should contribute to such restraint, and always be mindful of more cost-effective ways of carrying out its functions.

I would, however, like to recap the main features of the settlement, to put Neath, Port Talbot's position into context. Total standard spending has increased by 3.1 per cent. After provision for the police and specific grants are excluded, the level of unhypothecated funding available to local authorities through standard spending assessments has increased by 2.9 per cent. Both those levels of increase are above the level of inflation, which is forecast to remain low.

The support that we are providing through aggregate external finance towards that spending has increased by 2.8 per cent. when the additional £15.8 million that we are providing in council tax reduction grant is taken into account. In the past, local government has argued for greater flexibility to raise revenue from local taxpayers, to whom it is accountable.

In addition to the settlement, we have provided Neath, Port Talbot with resources to cover the transitional cost of local government reorganisation. In the last financial year, the Neath, Port Talbot shadow authority was allocated £950,000 in special grant, with a supplementary credit approval of £900,000. The authority has been allocated a further supplementary credit approval of £980,000 this year. That demonstrates the Government's commitment to ensuring the smooth transition to the new local government structure.

Local government has, I am afraid, historically spent above the level of its standard spending assessment, financing the additional spending through local taxation, and, to a lesser extent, the use of reserves. In appreciation of that, provisional capping principles allowed local authorities the opportunity to set their expenditure at a specified percentage over the preceding year's spending level.

This year, capping allowed all Welsh local authorities to increase last year's spending by 3 per cent., if they insisted. I should add that the £25.2 million in new community care funding that we are providing this year is not covered by capping. With that, the increase in budgets implied by capping principles is around 4 per cent.

Against such a background, I cannot accept the assertion of the hon. Member for Neath that Neath, Port Talbot has been discriminated against. Its SSA of £120.5 million represents an increase of 2.7 per cent. on its notional SSA for last year. That is slightly below the average increase because of a reduction in the authority's share of the total number of school pupils in Wales, but at £860 per head, its SSA is £14 per head above the Welsh average.

As the hon. Member for Neath knows, the Welsh settlement provides local government with more than £60 per head more in spending power than is provided for English authorities. The new unitary authorities' SSAs and revenue support grant entitlements were calculated using a distribution formula developed in consultation with local government over the past two years. It was ratified by the Welsh Consultative Council on Local Government Finance last November as the best objective methodology available for distributing resources.

Work on the distribution formula is an example of co-operation between the Welsh Office and local government, which we all find most desirable. That has been the case since the start of present Welsh local government finance arrangements in 1981-82. I hope that co-operation will continue to be the cornerstone of the work, not least in that both sides acknowledge the need for improvement of the formula to reflect more closely the most up-to-date position.

My right hon. Friend and I are anxious to see greater local government involvement in the settlement process. We agreed to the request of the Welsh Local Government Association that elected members should, for the first time, participate in the working groups on revenue and capital spending. The local authority representatives on the distribution formula working group include the leader and the chief executive of Neath, Port Talbot.

However, all this work has been severely disrupted by the association's boycott of discussions with the Welsh Office. I fail to see how the association expects to make the case for its spending requirements 1997-98 if it refuses to talk to me and my right hon. Friend the Secretary of State and our officials, but that is a matter for it. I have some hopes that progress can be made in discussing the distribution formula for 1997-98. We would welcome local government views on ways in which the formula could be strengthened.

Before I turn to the concern that the hon. Member expressed about council tax levels, I should like to correct a misconception. Both this evening and during Welsh

[Mr. Gwilym Jones]

Questions last week, he referred to council tax payers in one half of Trebanos paying £90 a year more than those in the other half. That is not the case. The whole of Trebanos is in the community of Pontardawe, which is wholly within the county borough of Neath, Port Talbot.

The level of council tax in a particular area depends on the extent to which authorities have chosen to spend above the Government's recommended maximum, because all spending above SSA is funded from council tax. It has always been the case that communities in close proximity to each other but within different local authority areas can have significantly different council tax levels. The considerations that affect council tax levels in Neath, Port Talbot are essentially the spending decisions of the authority for 1996-97. Inevitably, the spending patterns inherited from the council's predecessor authorities will have some influence.

Provisional capping principles give Neath, Port Talbot the opportunity to set expenditure levels 3.9 per cent. above its 1995-96 spending level. The authority took full advantage of this opportunity, and I trust that, in doing so, it took account of the effect on council tax payers.

The level of expenditure inherited by the authority is reflected in its 1995-96 notional budget amount, which was debated and approved by the House on 8 February. The notional amounts for all the new unitary authorities were derived from a joint Welsh Office/local government exercise to disaggregate the 1995-96 budgets of predecessor authorities on a unitary authority basis.

A parallel exercise was undertaken to disaggregate SSAs. The new authorities were consulted on the figures, which were generally accepted by them as a fair reflection of spending patterns. Certainly this was the case for Neath, Port Talbot. The disaggregated budget figures showed that West Glamorgan county council spent proportionately more in the Neath, Port Talbot area than elsewhere in West Glamorgan. This spending pattern has been preserved in Neath, Port Talbot's notional amount and reflected in the authority's capping limit for 1996-97.

The hon. Member for Neath argued that the authority's SSA and revenue support grant allocation is inadequate to support the chosen level of spending, and that the Government have an obligation to intervene to reduce council taxes. In response to that naive argument, I have to tell him that it is essential that the SSA distribution formula is based on objective indicators of need, which apply consistently to all local authorities.

Any distribution system which reflected the discretionary spending decisions of individual local authorities would result in a discredited free-for-all. The principle of a sound, objective basis for distribution is one which I am sure local government will continue to endorse. It has certainly been one of its key priorities in a decade and a half of co-operation on formula work.

Inherited levels of spending are a matter of fact, and the costs involved have been derived from the disaggregation exercise. The exercise certainly does not imply acceptance by the Government in terms of the appropriateness of spending levels. Our views of recommended maximum levels of expenditure are reflected in total standard spending for Welsh authorities and individual SSAs.

Capping limits exist in recognition that local authorities may prefer to spend at above the standard spending assessment. They are not spending targets set by Government. It is for local authorities to make their own decisions in the light of local circumstances.

We have always recognised that the disaggregation of 1995-96 budgets and SSAs to unitary authority level could result in significant increases in council tax in some instances. We provided £30.1 million in council tax reduction grant from within aggregate external finance to ensure that no council tax payer in Wales faced an increase in council tax as a result of disaggregation.

When it became clear that the majority of local authorities in Wales intended to set budget requirements at, or very close to, their capping limits, we announced a further £15.8 million in council tax reduction grant to limit increases to 25 per cent. I emphasise, as the hon. Gentleman picked up on earlier, that it was not an approval for council taxes to go up by 25 per cent.—it was an effort to alleviate the burden on council tax payers and to try to limit it to no more than 25 per cent.

Mr. Hain: Why is there such a large increase for Neath, Port Talbot, compared with Swansea, when they have the same base from which to work?

Mr. Jones: If the hon. Gentleman had been listening earlier, he would have heard me explain that it was because West Glamorgan county council had a significantly greater spend in the area of Neath, Port Talbot. That has been reflected in the disaggregation of the spending—the exercises were conducted jointly between the Welsh Office and local government, and agreed between the two.

Neath, Port Talbot's reduction grant entitlement is £3.8 million. As the hon. Gentleman acknowledges, council tax increases in his authority's area would have been far greater without this support. I refute the view that the settlement has discriminated against Neath, Port Talbot. The authority has received a reasonable settlement within the overall public expenditure level. It has also benefited from a significant amount of council tax reduction grant.

Neath, Port Talbot, like other local authorities and public sector organisations in Wales, must manage its priorities within the available resources. I believe that those resources are sufficient for them to do the job, and that they and the hon. Gentleman should instead have a proper regard for the burden they represent for the taxpayer.

Alternatively, we should take the hon. Gentleman's arguments and what has happened in areas such as Neath, Port Talbot, as an awful warning of what would happen to taxation generally if we ever have a Labour Government—by their actions shall ye know them. The hon. Gentleman is striking testimony that there is not new Labour in Wales, as my right hon. Friend the Member for Wokingham (Mr. Redwood) might have said. I prefer the less subtle maxim: you can't teach old dinosaurs new tricks.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Eleven o'clock.

House of Commons

Wednesday 26 June 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Right to Work

[Relevant document: The Second Report from the Employment Committee of Session 1995-96 on The Right to Work/Workfare (House of Commons Paper No. 82), and the Second Special Report from the Education and Employment Committee containing the Government's Reply thereto (House of Commons Paper No. 585.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

9.35 am

Mr. Greville Janner (Leicester, West): I greatly welcome the opportunity to put before the House the recommendations of the Employment Select Committee concerning workfare. I do so with some trepidation because we have, as it were, risen from the grave. The Government having consigned us for ever to oblivion, we have emerged again to entertain the House a little. Still, this is a subject of great importance to the country, to the House and to every hon. Member in the House.

I pay special tribute to all the members of the Select Committee on Employment for the work that they did on this report; and I thank the hon. Member for Crosby (Sir M. Thornton) in particular for all that he has done to enable this debate to take place, and for so kindly allowing me to open it. I am the departed Chairman of the old Committee; he is the newly installed Chairman of the new and reincarnated Committee, which incorporates the old one.

The problem of unemployment is one of vast consequence. It is the greatest single cause of economic misery in this country. It is a disaster for millions of people and for their families, and the Employment Committee was united in seeking ways to deal with it.

At this point I pay tribute also to a man whom I would wish to call my hon. Friend, because he is both honourable and my friend: the hon. Member for North Norfolk (Sir R. Howell). Thinking about tonight's football match, I wonder whether he would be more comfortable on the right wing, where he has been used to spending his time, or on the left wing, to which some of us feel he has moved. For he is the progenitor of ideas that are far from orthodox on the right. I note that he shakes his woolly, farmer's head—to no avail. He is a man of integrity and of ideas, and this one is his baby. Once I have outlined what the debate is about, I shall leave it to him to advance the united views of the Committee.

We start from the premise that the need for jobs is huge. We start from the Government figure of just over 2 million unemployed people—nearly double the number when they came to office. It is, however, an unreal figure because it excludes 10 categories of people. They include those who have left the register because they have simply given up and no longer feel that there is any hope of jobs for them. Another category is of people who work just one hour or more part time and who, like millions of others, leave the register when they get part-time jobs. People desperate for work will take part-time jobs because there are no full-time jobs. I would be astonished if there were fewer than between 3.5 million and 4 million people who want full-time jobs today but cannot find them.

The Minister of State, Department for Education and Employment (Mr. Eric Forth): I thought the hon. and learned Gentleman might get on to this nonsense early in his speech—he is in typical form. If he approves of the International Labour Organisation—I do not but I suspect that he does—and if he agrees with the labour force survey method of counting the unemployed, which is the ILO-approved method—

Mr. Frank Field (Birkenhead): You do not.

Mr. Forth: I do not, but I suspect that the hon. and learned Gentleman does. If he approves of either or both, how does he explain their figure of about 2.2 million or 2.3 million for unemployment in this country?

Mr. Janner: The Government have no idea how many millions of people are unemployed, nor how much it costs—and they do not care, as they have said in their response to the Committee's report. The Government do not know how many people with part-time work want full-time work—they have never tried to find out and they do not want to know. They do not know how many full-time students would be at work if they could get a job—and they do not want to know. They have no idea how many people in a family wish to work but cannot find a job. What is more, the Minister and Government members laugh about it—that is a disgraceful attitude. The Government think that it is funny that people are unemployed.

The Committee produced a unanimous report—Conservative and Labour members agreed—which outlined ways to look at the problem. But what was the Government's reply? I shall tell hon. Members my definition of unemployment: it is a "recession" when someone else is out of work, it is "depression" when you are out of work and it is "recovery" for the country when the Government are out of work. That is when we will have hope.

The Committee—which was led by the hon. Member for North Norfolk—said that we need to know the cost of unemployment. The Secretary of State for Education and Employment—an expert in mathematics—started off by telling us that the cost was about £9,000 per head, but then she lowered the figure to about £3,000 per head because she decided to leave a few things out of the statistics.

What was the Government's reply? They said that it is not necessary to produce the figures and that that will not help. I know that that view is not held by the hon. Member for North Norfolk, nor by any other member of the Committee. When one wants to cost something out, to find out how to remedy a wrong, and to know what steps to take—whether in business, in commerce or in government—one must know the present cost. The approach of the so-called Government in this regard has been amazing.

[Mr. Janner]

What is the cost of unemployment? We know that it costs misery for millions of people. Unemployment is at the heart of the insecurities of our constituents and the constituents of the laughing Minister, who would not find this at all funny—they either do not have jobs or, if they do have jobs, they feel insecure about their future. Our constituents know—even if the Minister does not—that the number of jobs, the number of people at work, in this country has dropped by 5 per cent. since the Government came to office. That is another indication that the Government's fiddle on figures is the Stradivarius of political life.

We need to know the cost of unemployment—not just in misery, but in pounds and pence. We need to know the cost of people who are unemployed and receiving benefit, but who wish to work—that is not funny. We need to know the cost of people who wish to be at work and who would be paying tax if they were employed, but who are not—that is not funny. We need to know the cost of people who are unemployed and who would be paying national insurance if they were employed, but who are not—that is not funny. And, above all, we need to know the cost of the loss to the country of all the efforts of these people.

The Committee made some modest suggestions, such as extending existing schemes and looking not at compulsion—because Labour Members on the Committee would not have accepted that—but at ways in which the community could help people to work. We should pay people to be at work, not pay them not to be at work. This must make sense, provided that we can do it without destroying real jobs. All we asked was that the Government look at this. The puny, nasty, inadequate, insubstantial and impertinent document that the Government have seen fit to put before us is unworthy of the Government—even though they thought that the Committee would never be able to answer back. This is our chance to answer back.

If the hon. Member for North Norfolk catches your eye, Madam Speaker, he will give the House the answer—as will my hon. Friend the Member for Birkenhead (Mr. Field), whose depth of knowledge and understanding of these matters is unrivalled in the House. I shall leave it to them to answer the Government. I ask the Government not to laugh at the unemployment rates, at the figures, at their failure to cost out unemployment in financial and in human terms, and at the report of the distinguished, but now defunct, Committee. It is a report of substance, importance and intelligence—the Government should act on it, not laugh at it.

9.45 am

Sir Ralph Howell (North Norfolk): I thank my friend the hon. and learned Member for Leicester, West (Mr. Janner) for his kind remarks about me and for allowing the debate to take place. I became a member of the Committee approximately two years ago. Soon after I joined the Committee, it decided to study workfare and the right to work. I believe that the Committee did a good job in looking into the matter and trying to find a way to solve the problem of unemployment. Everyone agrees that unemployment is wasteful, soul destroying, degrading, unnecessary and unaffordable.

The hon. and learned Member for Leicester, West referred to the cost of unemployment—the cost is all important. The welfare state is costing too much in this country, and everywhere else. Therefore, it is unrealistic to try to make reforms that will cost even more. The reforms that the Committee recommended—reforms that I have pursued for many years—would save a considerable amount of public expenditure. The hon. and learned Gentleman's point on cost is relevant.

There should be an independent inquiry into the cost of the Right to Work Bill, which I have put forward with the support of the hon. Member for Birkenhead (Mr. Field), who is also a friend of long standing. The Bill was introduced with just one supporter last July.

Ms Angela Eagle (Wallasey): Does the hon. Gentleman agree that the other part of the equation that we need to look at is the cost of the current level of unemployment and the cost of keeping those people doing nothing? Does he also agree that we tried very hard in our report to get the Government to give us an estimate of the cost? The cost ranged from a basic £10 billion a year—which is pure benefit payments—to as high as £24 billion.

Sir Ralph Howell: I shall refer to the details of the cost a little later in my speech. I beg the Government to take this matter seriously and to have an independent inquiry into the overall cost of the proposals—only then will we know whether they are practical. The Committee believes that we could save at least £5 billion per year, and probably considerably more.

It is obvious that the welfare state is out of control. In 1948, based on the Beveridge report, we set out on a welfare state system. However, the Beveridge report was never fully put into operation. If it had been, there would never have been any long-term unemployed. Beveridge said that after three months or six months—whichever was decided—benefit would cease and work would be offered. To be fair to the Attlee Government, they could not put the whole report into operation then because there were no unemployed. When unemployment did creep in, successive Governments should have done something about it.

We are in a extraordinary situation with the Right to Work Bill. An early-day motion has been supported by 70 of my hon. Friends, by 40 Labour Members, six Liberals and eight others, so we have cross-party support. We are causing the Front Benchers to think about the matter seriously. All three main parties have their heads firmly in the sand and they hope that the problem will go away, but it will not go away. The problem will worsen for as long as the welfare state is operated and we must stop spending money and receiving nothing for it in return.

Most people who are unemployed want to work. The cost of unemployment has already been mentioned and the Government admit that unemployment costs £13.5 billion a year. If we divide £13.5 billion by the number of unemployed—2.2 million—the cost is £6,000 a year each. If we also include the tax and national insurance of at least £1,000 that everyone would pay if they were earning £6,000 a year, the Treasury is losing at least £7,000 per person through unemployment. Society at large is getting nothing in return. Would not it be better for unemployed people to be doing something?

Unemployment carries further costs in stress, increased sickness, marriage break-up, crime and drug-taking and it is no good denying that there is a connection between crime and unemployment. Everybody should have an opportunity to work, everybody should have a right to work and everybody should have a right to the dignity of earning a living. We could deliver that and save at least £5 billion a year.

I shall explain how the Right to Work Bill would operate. The main obstacle is that the Government are determined not to accept a situation in which the state is the employer of last resort, but the state is the provider of last resort. Would not it be more sensible from everybody's point of view if the unemployed could do caring work, environmental work or minor infrastructure work—a variety of jobs that could be offered—for the general good of the nation? Fresh thinking is needed immediately.

The Bill states that the state should become the employer of last resort and should offer work to anybody who has no other work. That idea is not new. It was first introduced in the House in 1911 by Keir Hardie, who by that time was not top of the pops in the Labour party. A rehash of the Keir Hardie Bill was introduced again by a Member of Parliament named Enoch Edwards in 1912. My Right to Work Bill, 84 years later, comes from the opposite side of the House, although I am still as right-wing as I ever was. [HON. MEMBERS: "No!"] We have formed a bridge across the House and it is time to accept that the state should be the employer of last resort.

We would ease into the new approach through workstart. I wish to pay tribute to my right hon. Friend the Secretary of State for Education and Employment, because the pilot workstart scheme was set up when she was in charge of the old Department of Employment. It has been highly successful in every respect, but sadly there has been no financial evaluation of it. I ask my hon. Friend the Minister of State to insist on an evaluation of the savings that must have been made by the workstart scheme.

Under workstart, the Government paid £60 to an employer who took somebody off the register for the first six months and £30 for the next six months. The average saving must have been about £75 a week on what the state paid someone to do nothing before. Workstart should be offered nationwide.

We should also introduce a non-worker payment. Some people will refuse to work and it should be possible to sack people from the right-to-work scheme if they try to abuse the scheme. The non-worker payment should be 25 per cent. of what is offered under the right-to-work scheme. We should also pay a parents' grant of £60 for the lower-paid. Any couple with an income of less than £180 a week would be eligible for a £60 grant, if one of them remained at home to look after their children.

Those are the provisions of the Right to Work Bill which has received support from both sides of the House. The Bill would not introduce American-style workfare. So often when this matter is discussed, the media talk of American-style workfare, but we would offer a real job to everybody who wishes to work so that everybody can have the opportunity to earn a living.

I shall spell out the financial terms. Everybody would have the right to work for 40 hours at £3 an hour, giving a maximum of £120 a week. That would also mean that every couple would have access to £240 a week, so virtually no social security payments would be necessary to maintain any couple, married or not. Everybody would have the opportunity to earn £120 and that would get rid of the stigma of social security payments. There would be no fraud and no need for fraud squads for the simple reason that, unless people reported to work, they would not be paid. People could put in whatever amount of time they wished, up to 40 hours a week. I ask my hon. Friend to consider that as a way forward in Europe. I believe that the Government are right to opt out of the social chapter which is causing immense problems.

Mr. Ken Eastham (Manchester, Blackley): Is there not a slight contradiction in the hon. Gentleman's remarks? A few moments ago he argued the case for a minimum wage of £3 an hour, but the Government say consistently that they oppose the introduction of a minimum wage under the social chapter.

Sir Ralph Howell: The figure of £3 an hour would not be a minimum wage in a statutory sense—anyone who wanted to could work for less—but it would probably develop into one. I have no hang-ups about that, although perhaps the Government do. I am glad of the hon. Gentleman's intervention as it allows me to admit that I have pitched the figure at a low level. I have been talking about £3 an hour for about three years and perhaps it should be a little higher now. However, for the sake of convenience and so as not to confuse the issue, it is advisable to continue talking about £3 an hour. That would be easy to phase in and it would be less likely to upset the Government. I cannot understand why the Government have a problem with the idea of a minimum wage. We spend more than £2 billion supporting the low-paid, so we are bringing wages up to a statutory minimum in any event.

Returning to my earlier point, I think that the Government are correct to oppose the social chapter as it is now drawn. The Germans, the French and everyone else in Europe who is suffering as a result of the social chapter will find in time that they can no longer support it in that form. I ask the Government to take my proposals seriously. Would it not be better for Britain to rewrite the social chapter instead of sniping from the sidelines? This country has taken the lead many times before—I hope that we shall do so again today in the football—and it is time to rethink the question of the welfare state. Almost all countries copied our welfare system in the late 1940s, but it is no longer viable. It is unsupportable and it is time to rethink the whole system.

I believe that the legislation would remove unemployment and the fear of unemployment—which is probably worse than the original problem. It would be a fresh start and it would give us something to hope for. I ask my hon. Friend the Minister to persuade the Secretary of State for Education and Employment to take the proposals seriously and see whether she can adopt them.

10.3 am

Mr. Frank Field (Birkenhead): While listening to my hon. and learned Friend the Member for Leicester, West (Mr. Janner), who opened the debate, I recalled a comment by Jeremy Thorpe. Speaking about the other place, he said that here was evidence of life after death. The Government have wound up the Employment Select

[Mr. Frank Field]

Committee, but its former Chairman opened our debate today. Hon. Members and their constituents are grateful to him for carefully nurturing the Select Committee, for opening the agenda and for encouraging hon. Members to exchange ideas and to produce reports that are relevant rather than politically correct.

My association with the hon. Member for North Norfolk (Sir R. Howell) goes back a long way. At one time I was in receipt of Cabinet papers about child benefit. The last Labour Government had slight difficulties introducing that benefit and, because I was worried that the special branch would raid my office and take those papers from me, I destroyed them. If I had not done so, I would have been able to look up the exact dates of two events.

The first was when my hon. Friend—which is how I regard the hon. Member for North Norfolk—attended a breakfast with the Child Poverty Action Group at the Tory party conference. Sir Keith Joseph—as I learnt more about him, I became fonder of him—was hosting that breakfast. The hon. Member for North Norfolk was advancing ideas similar to those in the legislation that he and I promoted during the last parliamentary Session and suddenly Sir Keith Joseph leant across the table and said to the hon. Gentleman, "But, Ralph, you are promoting communist ideas." The hon. Gentleman, in a totally proper, English manner, gently reminded his shadow colleague that he was not particularly interested in labels but in practical proposals to combat an evil.

At that meeting I first became aware of the hon. Gentleman's real feeling for those people who, for all intents and purposes, have been cast on the scrapheap. He was angry on their behalf that we should run our affairs so carelessly and forget about them because we think that we have done our bit by paying them dole money. I remember also the way in which he challenged Sir Keith Joseph at that meeting by reciting a list of jobs that needed doing in his constituency. He pushed his shadow spokesman on to the back foot by saying, "Is it not more sensible to put aside labels—whether we are communist or right-wing? Instead of spending large sums keeping people idle, should we not think of ways of spending some, if not all, of that money employing people in tasks which would give them dignity, which would add considerably to the well-being of the local community and which the Government could enter in the national income figures and would lead to an increase in national wealth?" That was my first encounter with the hon. Gentleman.

Mr. Forth: I am provoked to rise to my feet by the hon. Gentleman's passing and ritualistic reference—it was not a casual reference, as nothing about the hon. Gentleman is casual—to scrapheaps and to people being cast aside. The hon. Gentleman must visit jobcentres, as I do, and talk to the very dedicated staff. He must know that everyone who has the misfortune of losing his or her job is treated as an individual by caring jobcentre officers and officials and offered a wide range of possibilities. How does he square that reality with his reference to scrapheaps and to people being cast aside?

Mr. Field: I invite the Minister to join my hon Friend the Member for Wallasey (Ms Eagle) and me on a visit to Birkenhead jobcentre. If the Minister looks at the jobs advertised there, he will see that most employers are so ashamed of the wages that they can get away with offering that they do not state those wages—if there are wages attached to the job, as many of the positions are on a commission basis only. We must draw a distinction between the dedication of the jobcentre staff—to whom we pay proper tribute—and the Government who believe that they cannot do anything, beyond the measures that they currently employ, to expand the job base.

The debate is about whether there is a set number of jobs and how those jobs are determined. It raises the big issues of our time. Does training by itself represent an adequate response to the problem and will it enable Britain to go up market and reach a position of full employment? Should we be more active in the labour market—given the fact that the market cannot adjust itself—in using people's skills and in matching them to the work that must be done? My hon. Friend the Member for North Norfolk has been raising that issue for the 30 years that I have known him, and it is what the Bill is about. He gently pressed the Government to recognise how their response to the measures that he proposed will appear to people outside: casual and lacking in concern.

Mr. Ian McCartney (Makerfield): I was in Yorkshire last week and had passed on to me, anonymously, the concerns of staff members of the Employment Service about the jobs that they are forced to offer. From the list of jobs that I was shown, one was for a warehouse assistant, full-time—£10 plus benefits. Another was for a full-time agent working in the local community—commission only.

Mr. Field: On the first job that my hon. Friend mentioned, it is probably illegal to offer work under those conditions, given the requirements for income support. We shall leave that aside. That is not a reflection on the dedication or the concern of the staff of the Employment Service. It just shows how the labour market will adjust to the circumstances. All of us have witnessed the rise in unemployment in our constituencies and the fall in real wages. Most employers, knowing what they can get away with, use the jobcentres and do not even say what the wage will be.

My second meeting with my hon. Friend the Member for North Norfolk was when he wrote a pamphlet for the Low Pay Unit, an organisation that I worked for, on the unemployment trap. In the days before we were as dependent on means-tested benefits as we are today, he was a prophet calling attention to the way in which ordinary people have to make rational decisions about their well-being and that of their family, and how for a growing number of people then—now a huge number—the trade-off, if there is any, between working and not working is small.

That is the background to my association with my hon. Friend and thus my willingness to sponsor with him the Right to Work Bill, not because we agreed on every proposal after we had discussed it, but because we both believed that it was an opportunity that the Government could seize to show that they were serious about dealing with the issue. We did not think that it would be the great panacea or that it would be achieved in the timetable that we had set in the Bill. We included the timetable because we were anxious to show our constituents that we had a sense of urgency about the issue, because many of them had been without work for many years.

I am here to support my hon. Friend in his request for two things: first, for the Government to get an independent and serious costing of the proposals. Given the way in which they have handed out contracts—I shall not say "to their friends"—the Government believe in job creation. They have handed out contracts to inquire into this and that, and to report on this and that, for which I am grateful, as that is, as my hon. Friend the Member for North Norfolk knows, what job creation is about. We now ask, as a sign of the Government's true faith, that they consider seriously every proposal given to them, as a means of tackling the evil of unemployment.

The second request is for a real costing of unemployment. Let us leave aside whether the total is 2 million or 4 million. Let us leave aside the number of workers who will come into the labour market who are not registered as unemployed but who would be there if jobs were available. There are armies of workers who, because they do not receive benefit, do not register as unemployed, but that does not mean that they do not want work and would not work if it was available. The Minister turns his nose up at these proposals, but anybody who wanted to indulge in rational debate and was confident of his position would have commissioned both of these studies a long time ago. Not to do so would suggest to the House and, more importantly, our constituents, that the Government do not want to know the information, because it would make their position less tenable.

I am pleased to be able to speak in the debate. It is a pleasure to follow my hon. and learned Friend the Member for Leicester, West. I pay tribute to the way in which he chaired the Select Committee on Employment and the way in which he encouraged a thousand ideas to blossom in it. He did not feel it necessary to take a Stalinist line on what the truth is, or to say that every report must come down on the small area of agreed truth. I think that the report will be considered as a landmark, because it will show that we have moved away from the heady days of the 1980s, when we believed that markets could solve everything. No one is saying that we do not believe in markets. The House is saying that we want markets to work where they can work. Where they cannot work, where millions of people want to work but cannot, we have a duty to try to find ways of extending work opportunities to them which are useful and beneficial, raise their status and add to the national well-being.

I applaud my hon. Friend the Member for North Norfolk for the way in which—despite all the rebuffs that he has received, often from his own side—he has never lost sight of the anger and despair of a large number of our constituents. Even though they might put on brave faces for some public events and seem as if they do not care about work, as if they have managed to sort their lives out and are happily getting on with things, they feel real despair at having a label put on them as unemployed and therefore having no useful role to play in Great Britain today.

10.17 am

Ms Angela Eagle (Wallasey): I support many of the comments that have been made today. It is important that we have been given the chance to debate the extremely interesting and thoughtful report from my hon. and learned Friend the Member for Leicester, West (Mr. Janner), who chaired the Select Committee on Employment, on which I had the honour to serve.

The report contains certain recommendations, but the Committee considered in detail some of the things that we thought that the Government should consider given the persistence of mass unemployment in this country. When we considered mass unemployment, one thing of which we were well aware was that it includes an increasing number of the long-term unemployed. Many of the policy prescriptions that we considered were not aimed at people who go through a short period of unemployment and then move back into the labour market. They clearly do not need the same support and help as those who become long-term unemployed, in a labour market in which the pace of change accelerates ever more rapidly, when the skills that they may have had become obsolete when they have been away from the labour market for a long time and lost much of their confidence.

The evidence that we took suggested that employers regard the long-term unemployed with suspicion, because they know that they have been away from the labour market. They are increasingly reluctant to hire such people, to whom our report paid particular attention. The Right to Work Bill—so ably supported by my hon. Friend the Member for Birkenhead (Mr. Field) and the hon. Member for North Norfolk (Sir R. Howell)—is one way of dealing with the problem, and many other ways are suggested in the report. One suggestion is the intermediate labour market—a halfway house mixing education with training in work experience. The Wise group in Edinburgh gave us some impressive evidence about that. It is a practical way of reattaching people who have become detached from the labour market, giving them back their confidence and reskilling them.

As the report points out, there are no panaceas, certainly on the supply side. There is only so much that we can do to return our labour market to its full capacity. Training and work combinations of the kind suggested by the Wise group are not cheap, but we believe that in the end they are very effective in getting rid of persistent long-term mass unemployment.

When taking evidence, we were struck by the Government's extraordinary reluctance to give us a basic statistic. We wanted to know the cost of keeping more than 2 million people—at some points in the past few years, the figure has risen to 3 million—permanently or semi-permanently on the dole. When we took evidence from the then Secretary of State for Employment, she told us that the cost was approximately £9,000 per head. Appendix 1 of the report gives our best estimate of the cost of mass unemployment—£8,400 per claimant—and we calculate that the total cost to the Exchequer is £24,000,315,000. That is a good deal of money, which is currently being wasted on passive support.

We must be able to do something more active and innovative—something that is more likely to return people to the labour market. The Government should not simply condemn the thousands of long-term unemployed in Wallasey—some of those whom I have met have been unemployed for 15 years, and have little chance of returning to the labour market as things stand—to continuing unemployment. Nor should the Government blame them for their predicament. That has been the Government's other main response: they have made benefit more conditional, telling people that they must do more in order to qualify, such as sending out CVs for jobs that do not exist.

[Ms Angela Eagle]

Of course it is important to teach people how to write CVs; of course it is right to try to motivate them to search for jobs. But it is also important to make them employable—to equip them so that they have a reasonable chance of finding work, rather than forcing them to send out endless streams of CVs with no hope of ever succeeding. Having to deal with that kind of rejection is even worse than simply being stuck on the dole.

We want a much more innovative, caring and realistic approach to solving the problems of long-term unemployment than the Government have adopted. The report asks them to consider such an approach. We want them to pay special attention to the plight of the long-term unemployed, and consider how they can be reattached to the labour market. We have heard numerous arguments about the substitution and "deadweight" effects of job creation schemes, and I expect that we shall hear some from the Minister today, but such arguments do not apply nearly as much to the long-term unemployed as they might to someone who has only just lost a job and is still relatively close to the labour market.

I hope that the Minister will devote particular attention to that group, and will tell us what the Government plan to do to return them to a labour market from which many have been absent for a decade.

10.24 am

Ms Roseanna Cunningham (Perth and Kinross): The Scottish National party welcomes many elements of the report. We especially welcome its emphasis on the long-term unemployed, to which a number of hon. Members have referred. Most of us agree that that is where the biggest difficulty arises, in terms of the lives of such people and the need to return them to work.

While I accept that the workstart programme has had some beneficial effects, I note that the Employment Committee was equally clear about the fact that it has not created many new jobs. Ultimately, it is the creation of new jobs that will solve the problem; workstart is only a partial solution. The Committee stresses the importance of training in employment, and the Scottish National party supports the idea of a national apprenticeship scheme, which would go some way towards achieving such a system.

We also support the Committee's second main recommendation. It calls for a full financial report on the effects of workstart, and for a much wider assessment that would include figures relating to the number of people who have remained in employment after the one-year workstart period. That ought to be the measure of long-term success.

We believe, however, that the key recommendation is the rather more controversial suggestion of a pilot scheme to try out the right to work-workfare principle, based on the Right to Work Bill. I shall say more about my party's views shortly, but let me say at once that the SNP is opposed to workfare in principle. We should need to look closely at any suggested pilot scheme. Words can be used to mean very different things, and I am concerned about some of the language in the report. There is talk of the pilot scheme being based on the 1995 Bill, but I am not sure what that will mean in practice.

For example, a crucial part of the Bill was the removal of any real choice. Those who refused a job would be entitled to only a quarter of the payments available to a person who was making himself available for work. I am not sure how that squares with the Committee's insistence that compulsion will not be necessary. It is, I think, agreed that most of the evidence suggests that compulsion is not a good idea.

Sir Ralph Howell: Surely we have reached a point at which we must choose between the right to be unemployed and the right to work. The hon. Lady and her party will have to make up their minds about what they want. I believe that, while the right to work would constitute a big step forward, defending the right to be unemployed is unacceptable.

Ms Cunningham: It is not a question of a right to unemployment. Of course everyone has a right to work, but the balance is changed considerably when an element of compulsion is introduced. In its evidence to the Committee, the National Council for Voluntary Organisations opposed any compulsive element in workfare, which it considered would ultimately have a detrimental effect on the whole attitude of the unemployed, especially their motivation and approach to learning and training. It might also have a detrimental effect on the labour market: employers might not be keen to take on reluctant workers, feeling that people were not there because they wanted to be there. Ultimately, it would encourage job substitution.

The 1995 Bill defined useful employment, which could not be refused without severe financial penalty, as caring, environmental or minor infrastructure work. Will that definition be the basis of the pilot scheme? If so, what sort of jobs will be covered? If they are associated with work that ought to be done anyway, they should be available not just in connection with the pilot scheme. The 1995 Bill also sought to abolish the right to income support and unemployment benefit after an initial three-year period, with persons not in employment having to register at a work centre. That gives rise to the issue of payment at £3 per hour, which effectively becomes the minimum wage. My party supports the minimum wage but, unlike Labour, we are not prepared to duck how much it should be. We do not regard £3 per hour as civilised and would not support a measure based on that amount. We approve the figure proposed by the Scottish Trades Union Congress and the TUC for England and Wales, which is in the region of £4.10 per hour.

The 1995 Bill made an inadequate attempt to provide for parents, as it covered only parents of children under five years of age and a gross income of no more than £120 a week—not conditions to which we should agree, as they would cause great hardship.

Any success with workstart appears to be limited to the short term. Real employment must take the form of new, long-term jobs. The Wise group's intermediate labour market is welcome but will require sustained, consistent and prolonged Government investment—and that has not been forthcoming. A policy of full employment should not be discarded as being unattainable. If that objective is taken together with job creation, one could devise a

fundamentally different approach to unemployment that would contrast sharply with present Government policy—which, in many cases, merely creates unemployment.

Mr. Forth: Will the hon. Lady tell the House what she means by full employment?

Ms Cunningham: There will always be structural unemployment, when a person chooses to leave a job to go to another and may be unemployed for a few weeks in between. There is no reason for the high number of unemployed people and lengthy unemployment that exist today.

As a first step, the transfer of housing capital debt to central Government and the release of funding for house building and renovation would immediately create work in the construction industry. Government policies that produce unemployment include privatisation, as with job losses in the gas industry, market testing and local government reorganisation. The abolition of wages councils should have led, by the Government's own logic, to employers taking on more workers, but that has not happened.

The emotive language used when debating the right to work-workfare is misleading, with constant references to the unemployed being paid to remain idle and the underlying assumption that most of them do not want to work. That is not my experience. The majority of unemployed people want to work but there are no jobs for them. It is significant that the Government decided last year to scrap the separate Department of Employment and to merge it with the Department for Education. Nowhere in the right to work-workfare proposals is there an assessment of the short-term and long-term needs of commerce and industry in respect of employee skills.

The Scottish National party supports as positive approaches the principle of lifelong learning and specific proposals such as an integrated training and employment scheme. We see no long-term solutions from the present Government.

10.35 am

Mr. Ernie Ross (Dundee, West): As I know that my colleague on the Committee, my hon. Friend the Member for Manchester, Blackley (Mr. Eastham), wants to speak, I will be brief.

I suppose that in the preamble to his speech on the constitution tonight, the Prime Minister will indicate changes to parliamentary procedures that may give right hon. and hon. Members more time to consider measures before they come before the House, which would be welcome. All members of the new Education and Employment Select Committee were shocked that we managed to convince the Government to debate workfare. Other Select Committees will be keen to ensure that the hard work that they put into their reports will be recognised by the Government as a useful part of the democratic process and will be the subject of debates in the Chamber.

Although I do not know what will be the Minister's response to the debate, judging by his interventions we can guess that it will be negative. The Government reject not only the report's proposals but consistently criticise the performance of existing programmes that they initiated, such as workstart and the Wise project. The then Employment Select Committee was denied information by the Government, who denigrate schemes but offer no analysis as evidence to support the claim that workfare would not work. I refer not only to answering the famous question, "Is the cost of an unemployed person £8,000 or £9,000?" At one stage, the Secretary of State argued that a price could not be put on keeping someone unemployed because one would have to know the value of the job to which the individual could go. The Government were saying, "Social security scroungers do not want work but just benefits. They are a burden on the nation. Not only are they responsible for being in that position because they are unskilled and untrained, but we do not even class them as people. We do not know whether there are jobs for them to go to, so we cannot estimate the cost in respect of the individual and his family." The Government would be more believable if the Minister could provide an analysis of the workstart and Wise projects, which we failed to elicit from the Government's evidence to the Committee.

The hon. Member for Perth and Kinross (Ms Cunningham) said that the Scottish National party would view with concern any attempt to introduce workfare. Members of the Committee followed in the footsteps of the Secretary of State and went to the United States, which is the home of workfare. Despite the fact that the Committee split into small groups and scoured America, at least for the few days that we were there, we could find no evidence of workfare. Even the most Republican-minded right-wing states that tried to get people back to work discovered first, that people actually wanted to work, and secondly, that it cost money. Many of the unemployed in America, as in Britain, are women, so child care facilities were needed.

The message that we brought back from America is that there is no financial short cut to getting people back into work and that if we want to encourage women back into work, we have to provide child care facilities. Given the Minister's most recent performance before the Employment Committee, I do not hold out much hope that he will announce plans for child care in his speech today.

The report has been a worthwhile exercise, if only to bring to the attention of the wider population the fact that there are alternatives—Government-funded alternatives. I do not know just how many schemes the Government have started but then stopped before they have had a chance to make any impression. The Government will not convince the Opposition or, indeed, the hon. Member for North Norfolk (Sir R. Howell), that they are taking the right approach. Unless they are prepared to put their money where their mouth is and do an in-depth analysis of the success or otherwise of those schemes, the argument about the need for the Government to be pro-active in the labour market will continue.

10.40 am

Mr. Ken Eastham (Manchester, Blackley): When we embarked on our study, which lasted 14 months, many members of the Select Committee already understood many of the factors involved, so there are no shocks in many of our conclusions.

I want to nail the folly that is evident in this Chamber almost every week, when members of the Government boast about low pay as though that is good for the workers and good for the nation. People know, in their heart of

[Mr. Ken Eastham]

hearts, that that is not true. If people do not have purchasing power, they do not buy clothes, furniture or houses; there is a general rundown as a result of those poverty payments.

As was pointed out to me some years ago, when there was slavery in America at least the slaves were fed. Today, some working people in Britain receive such poor pay that they are denied a decent diet. Doctors talk about the malnutrition among the very poor in our society. *[Interruption.]* I wish that, on occasions, the Minister would be a little more serious when dealing with unemployment matters. He seems to think that it is a gala day and he just sits on the Bench laughing. He does not take seriously the misery of the unemployed. Oh, the hon. Gentleman suddenly looks up with great concern, but it is rare that he looks serious when we are discussing a serious matter.

I want to raise a point about jobcentres. Perhaps the Minister would stop grinning for a moment. I want him to raise some of our concerns with the managers of jobcentres. I wish that this debate was televised so that 20 million people could see how the Minister is behaving; then he would get his ticket at the next general election.

During the past fortnight, I heard of the case of a man who had been out of work for months and was desperate to find a job. He went to a jobcentre, took a card advertising a vacancy and went to see the firm involved. He worked for it for two weeks, but never received any pay. He went back to the jobcentre but was told, "We gave you a card and you got a job." He is now on crisis loans because he cannot even get back on to benefits. He is living hand to mouth. I wrote to the manager of the jobcentre, but was told that his job was only to put a card on the wall and that he was not responsible for what happened. Somebody must take some responsibility. I believe that both the Government and jobcentre managers have responsibility.

Bogus jobs are being advertised. I can tell the Minister that I will be giving this case some publicity— *[Interruption.]* The Minister is a bit of a clown, sitting there puffing and blowing. It is an absolute disgrace that, although he is the Minister with responsibility for employment, he is scathing and casual about a serious matter that the House is debating for just an hour and a half.

It is a great myth that people do not work. People have been saying that for years, but over that time it has been shown quite conclusively that people desperately want to work. Being unemployed causes great misery. The workstart project referred to by the hon. Member for North Norfolk (Sir R. Howell) has some merit and we have seen one or two such schemes. It has certainly led to new thinking about what the Government could do. It is interesting to note that even the Confederation of British Industry said that employers could help to improve the skills match through work experience. That is commendable. No one could say that the CBI is a supporter of the Labour party; basically, it supports the Conservative party. However, it is singing the same tune as the Labour party and the hon. Member for North Norfolk.

I want to say a great deal more, but I realise that my time is up. I am grateful for the five minutes that I have had.

10.45 am

Mr. Ian McCartney (Makerfield): On behalf of the Opposition, I welcome the report "The Right to Work/Workfare". I give a commitment that if, after the next general election, I am the Minister responsible for employment, I will take the report out of the bucket, dust it down and give a rather more adequate response to its recommendations.

Time does not allow us to deal appropriately with all the issues raised both in the report and by the hon. Member for North Norfolk (Sir R. Howell) in his Right to Work Bill. However, despite the inadequate time, it is important to set out clearly a range of issues on which the Labour party has given commitments. The nation's most important capital asset is its people—their knowledge, skills, endeavours and commitments. Under this Government, over a decade and more, a mass of talent has gone to waste. Since November 1990, when the Prime Minister took office, 11 million people have been unemployed at least once. Since the last general election, 8.7 million have been unemployed at least once. In my region, the north-west of England, 1 million people have been unemployed at least once since the last general election.

The numbers of long-term unemployed do not move down consistently or dramatically. Once a male becomes unemployed, he usually becomes long-term unemployed. Under this Government's training packages, it is almost impossible for him to return to a meaningful job. Of those who do manage to return, 50 per cent. are out of work again within a year. Last year, more than 400,000 of our fellow citizens who became unemployed but found another job were unemployed again by January this year.

It is not just a matter of losing a job; having lost it, it is almost impossible to find another one. When people do find jobs, they are usually short-term, insecure and part-time. Nine out of 10 new jobs created in the economy fall into that category. About 1 million full-time jobs have been lost since the start of the recession. Those jobs, in the main, have been replaced by part-time, insecure and low-paid work. It is no wonder that the country feels insecure when people have a one in three chance of losing their jobs. In the first quarter of this year, more than 50,000 jobs in manufacturing and in the key sectors of the construction industry were lost and there will be further losses between now and the end of the year. Yet despite those statistics, the Government say that the recession is over. The truth is that no one's job is secure; no one has the certainty of continuing employment.

The Government's deregulation policies have failed dramatically. They have failed in respect of our European competitors as we lag behind them in investment, training and competitiveness. We lag behind them also in our ability to develop our economy. There is a lack of capital investment in key sectors of the economy.

Let us take the construction industry as an example. It is incredible that, at a time of the highest level of homelessness for 30 years, more than 250,000 building workers are languishing on the dole. Capital assets worth £6 billion are locked in local authority bank accounts, yet the Government will not allow their phased release so that construction and infrastructure projects can go ahead, the construction industry can get back to work and public and private sector incentives to restructure the economy and our capital infrastructure can be provided. It is simple

common sense to bring together those capital assets with people who are unemployed to create the types of jobs that we need in the construction industry. That is just one practical example of the significant steps that could be taken.

The Government have staggered from despair to counter-despair in trying to massage unemployment figures and the withdrawal of resources from training budgets. We are spending more than £1 billion less on training than we were at the start of the recession and 600,000 young people are in neither full-time education, nor training, nor employment. They are on the margins of society. Yet what do the Government offer? They offer pilot project work—not for 600,000 or 30,000 people, but for a mere 6,000. Eight weeks after the scheme was supposed to start, the Government still cannot tell us about contracts in relation to trainers: who is training, what type of work is it, and what access is there to pilot job opportunities?

In setting the contracts for the scheme, it seems that the Government are reducing the resources. In doing so, they are refusing access to training as a component of the pilot projects. The Minister smiles, but I hope that he will jump up in a moment to give me the answer that he has been unable to supply for the past eight weeks. If he does, it would be better late than never and I would congratulate him on doing so. The pilot project is supposed to be at the heart of the Government's drive to give people access to the labour market. Yet, in the contracts, which are to be announced, there is no training element. That is a complete nonsense. The work provided is skivvy labour, and there is no intention of promoting and developing real jobs.

We should consider the plight of young people. They are living in communities scarred by unemployment, where one in five non-pensioner households have no working member. Their self-esteem has been destroyed, they are living on the margins of society, and there is involvement in crime, drug and alcohol abuse and sexual exploitation. That should not be our young people's experience as we approach the millennium. They should be part of society, not forced to its margins. There should be community and peer support, a sense of belonging, access to social facilities, vocational guidance and support, training and jobsearch, meaningful links with responsible employers, work experience, job opportunities and the ability to move in the wider labour market to seek out better job prospects.

My hon. Friends the Members for Dunfermline, East (Mr. Brown) and for Sheffield, Brightside (Mr. Blunkett) recently proposed a comprehensive set of fiscal incentives to help the long-term unemployed and young people, which I commend to the House. They are priorities for an incoming Labour Government.

The Select Committee report is correct in its analysis about the failure in the United Kingdom labour market to provide access to long-term job opportunities. The Government have two choices: to continue to tax for failure to pay the huge benefits bill, or to begin investing in success. We need a Government who are committed to the latter, and to the provision of training and retraining opportunities, access to the labour market for the long-term unemployed and job security through training for young people entering the labour market for the first time.

The Government have a role to play with employers. They cannot stand idly by and allow the market to determine that we have a pool of long-term unemployed people of—depending on the cycle of the economy—between 2 million and 3 million. They are prepared to allow 500,000 people at any one time to live on the margins of society. The Government have a responsibility. If they will not take it, they should move over and let in a Government who will.

10.53 am

The Minister of State, Department for Education and Employment (Mr. Eric Forth): This debate has been light on Members and heavy on cant and nonsense, which I suppose is no surprise given its nature. I counted as many as six Labour Back Benchers crowding the Chamber for a debate to which they claim to attach such importance. I counted one hon. Member from the Scottish National party and one Liberal Democrat. I say that because—*[Interruption.]* I have touched a raw nerve with Opposition Members, and so I should. Anyone who takes the trouble to read *Hansard* might think that, given the amount of emotional claptrap that we have heard from Opposition Members, the debate concerns many of them. I want the record to stand: six Labour Back Benchers were present.

I experienced a brief moment of excitement when the hon. Member for Makerfield (Mr. McCartney) talked about Labour party commitments. He began with a rousing commitment and I made a note of his words. He said that, in contrast to the Government's response to the Select Committee report which we are discussing, his party, excitingly and dynamically, would

"give a...more adequate response".

That is new Labour with knobs on if ever I saw it.

We are in exciting new territory in responding to all the problems that Labour Members have been ranting about this morning. The hon. Member for Makerfield said that he would list the Labour party's commitments in order to deal with all those problems. I am still waiting. I am being generous in saying that I counted one and a half commitments. The half that I identified was what I assume was a financial commitment—which I also assume the hon. Gentleman has agreed with the hon. Member for Dunfermline, East (Mr. Brown)—to increase training budgets. He did not put a figure on the commitment, so we shall have to hold our breath to see what will happen. We await a further episode to hear the commitments.

By the way, the hon. Member for Makerfield does not read his post very closely, because I wrote to him yesterday giving him the answer to the question that he reasonably asked about the providers of contracts for project work. I will not delay the House or use up even more of the very short time that I have available except to refer him to my letter of yesterday that gives him the information that he wants.

Uncharacteristically, the hon. Member for Birkenhead (Mr. Field) of all people made a rather infelicitous reference in which I am sure he said—we shall check the record—in passing that there had been an increase in unemployment in all our constituencies. That sparked me into looking at the movement of unemployment in the constituencies of this small but dedicated handful of Members who are present. I find that unemployment since

[Mr. Eric Forth]

December 1992—[HON. MEMBERS: "1979."] I did not hear the hon. Gentleman say 1979, but I shall happily talk about that. We all know that unemployment across Europe is significantly higher than in 1979 and that this country is performing a lot better. If I had more time, I would go into that at some length. I want the record to show that unemployment has fallen in Birkenhead by 1,300, in Makerfield by 1,300, in Leicester, West by 1,300, in Wallasey by 1,200 and in North Norfolk by more than 1,000.

The hon. Member for Wallasey (Ms Eagle) referred to increasing numbers of long-term unemployed people. That is also an inaccurate statement. I shall be charitable by referring to International Labour Organisation figures—hon. Members will not often hear me quoting them, but for this purpose I shall, since Labour Members find them more attractive—that show that long-term unemployment has fallen over the past year from 43 to 40 per cent. and the claimant count has fallen by more than 500,000 since the mid-1980s. The debate has regrettably been characterised by some inaccuracies from Opposition Members, on which I hope they want to reflect.

The hon. Member for Perth and Kinross (Ms Cunningham) trotted out the glib phrase about the concept of full employment which is frequently heard in these debates and on which we should dwell. Opposition Members have implied that, somehow, everybody could have a job if only the Government of the day did something different. There is no evidence from around the world to support that. Even in Japan, unemployment is 3 or 4 per cent. and rising. In the United States, it is 5 per cent. and steady, and in France, Germany and Italy, the countries most admired by Opposition Members—our partners in Europe whose models they would adopt—the unemployment rate is 11 or 12 per cent.

Mr. Ian McCartney: Will the Minister give way?

Mr. Forth: I cannot give way, because I am running out of time.

Opposition Members promote the idea of full employment without mentioning a number or a quantity. They should pursue that argument only if they are prepared to say exactly what they mean.

Mr. Frank Field: What about the report?

Mr. Forth: The hon. Gentleman should simmer down. I agreed to restrict my remarks to allow Opposition Members time to speak. That is what I have done. I am now replying to the points that were made in the debate. I know that is old-fashioned, but I thought that I would make an attempt.

Mr. Deputy Speaker (Mr. Michael Morris): Order.

Private Finance Initiative

[Relevant documents: Sixth Report from the Treasury Committee of Session 1995-96 on The Private Finance Initiative (House of Commons Paper No. 146), and Fourth Special Report from the Committee containing the Government's Reply thereto (House of Commons Paper No. 513).]

11 am

Sir Thomas Arnold (Hazel Grove): I am grateful for the opportunity to debate the sixth report of the Treasury Committee on the private finance initiative. Let me begin by thanking my hon. Friend the Financial Secretary to the Treasury for his recently published response. I welcome the fact that he has taken a number of the points that we raised very much to heart.

It may be for the convenience of the House if I briefly explain the background to our report. The private finance initiative was launched in 1992. Its early progress was slow and in our report on the 1994 Budget we noted that it had failed to encourage significant private investment and expressed concern that it was unclear whether it was intended to supplement or to replace public expenditure. When conducting our inquiry into the 1995 Budget we recognised that our concerns had not altered, which led us to decide to undertake a short inquiry into the PFI.

The Committee identified six issues: additionality, the control of public spending, obtaining value for money, the bidding process, the transfer of risk and accountability. I shall deal with each in turn.

It is clear that at the start of the PFI spending was regarded as additional not substitutional, but its substitutional character has increasingly come to the fore. That has raised a number of important questions. For example, if a scheme expected to be funded under the PFI failed to attract sufficient funds, would the deficit be met from the public purse? How would the priority of the projects be determined—by an assessment of need or by the availability of funding?

A key feature of the PFI is that the public sector contracts to buy services rather than assets. That reduces capital expenditure in the short term, but increases current spending available to purchase services in the longer term. It raises a considerable worry over the control and monitoring of public expenditure in current and future years. There is no central control over the PFI commitments being entered into by a diversity of public bodies. That was a matter of considerable concern to the Committee.

The Government's response shows that our concern has been taken seriously and I welcome that. As I understand it—the Minister may wish to comment further on this—the Treasury will publish in the Red Book the aggregate level of public expenditure implicit in PFI deals and will monitor and control commitments under the PFI as they develop.

The Committee identified the need for greater clarity in exactly how perceived value for money benefits accrue. For instance, it identified the relative importance of different cost savings. The Government's response identifies particular areas where value for money benefits accrue.

The process of competitive bidding is fundamental to the success of the PFI. There was, however, a series of criticisms—at times conflicting—from private sector

firms about the nature and cost of the process. Some contractors felt that the specifications for projects were insufficiently defined—although broad specifications were intended to encourage innovative bids—while others were concerned that the rigid definition of specifications prevented the scheme from operating effectively. A common concern was that tendering should be encouraged only for projects that had a high probability of materialising and should not be undertaken as a mechanical exercise, even when a PFI option is unlikely to be suitable. I am pleased to report that the Treasury has already acted to address these concerns.

According to the Treasury, an important feature of the PFI is that it allows the proper allocation of risk so that those most able to manage the risk are responsible for it. Evidence presented to the Committee suggested that, in the past at least, that has not always been so. I invite my hon. Friend the Minister to comment on that.

The House takes accountability very seriously. Although the PFI aims to encourage private investment in sectors previously funded by the public sector, the PFI does not eliminate public spending. On the contrary, the vast majority of PFI projects will involve some form of public expenditure. It is one of the important jobs of Parliament, through a range of mechanisms, to scrutinise that expenditure. During our inquiry, we were informed that details of PFI projects might be suitable to the constraints of commercial confidentiality. The Committee found that unacceptable, and commented:

"We do not think that the House would or should sacrifice its rights to see any details of Government spending it sees fit."

I conclude by referring in particular to the final paragraph of the report, where we make a series of proposals and recommendations, including the following: that a breakdown between PFI projects funded via user charges and those funded by leasing charges and future public expenditure should be published, and whether it remains appropriate for private finance options to be tested in all projects or whether some might be excluded from the outset. The Government's response outlines a series of circumstances in which the PFI might prove inappropriate.

We propose that a demonstration of cost savings on specific projects should be provided to show how the higher cost of capital in the private sector was offset. The Government's response shows that, typically, operating savings of 14 per cent. and construction savings of 7 per cent. can be achieved compared with a publicly funded alternative.

We recommend that full and transparent accounting be maintained, with a full statement of expenditure commitments implicit under PFI contracts, and that details of PFI projects should be published at departmental level.

I should make it clear that, in principle, the Treasury Select Committee welcomes the private finance initiative and recognises that a huge amount of complicated detail will need to be mastered if the policy is to progress successfully. The Minister's response is a welcome start to the next stage of that process.

11.8 am

Mr. Clive Betts (Sheffield, Attercliffe): I welcome the comments of the Chairman of the Treasury Select Committee, the hon. Member for Hazel Grove (Sir T. Arnold), who fairly reflected the areas of consensus in the Committee's report and members' collective concerns about the PFI. I should like to express some more critical views of the issue, to which I hope the Minister will respond.

I was previously a member of a local authority that was engaged in many partnerships with the private sector, so I have no philosophical or principled objection to them. I believe that partnership is appropriate where the private sector can work with the public sector to bring additional value to a project. Therefore, although my approach to the PFI is slightly sceptical, I am prepared to accept that it may have benefits if it attracts additional resources to important projects from which the public will benefit.

Having considered the evidence and having further read the Government's response to the Committee's report, I am now cynical rather than sceptical. It is obvious that what we have now is not additional expenditure on projects, but a replacement for what was initially planned public expenditure. There is now a substitution of funding to allow the Government to cut their public sector borrowing requirement commitments, perhaps to provide some leeway before the next election. In some respects, we are embarking on potentially the biggest deferred purchase scheme in British financial history, and it is being proposed by a Government who criticised local authorities—such as the one of which I was a member—for previous deferred purchase schemes.

There has been an interesting shift in the Government's position in another respect. The manual on the way in which schemes are compared, which the Committee considered, states that the Government are neutral on whether the private or public sector route would be the most appropriate. In their latest response, the Government have made it clear that they believe the private finance route to be better, and that it will generally provide savings. That is a distinct shift in emphasis.

The Government's main claim about the possibility of efficiency savings is that the private sector will produce, design, build and operate schemes and will carefully incorporate in them low maintenance costs for the future, as it will be responsible for operating those projects. If the Government are saying that the public sector is incapable of designing low-maintenance schemes, that says a lot for their procurement policies in the past 17 years. If that is the Government's complaint, it must be possible to improve the way in which they purchase in the public sector.

One of the main reasons why maintenance problems emerge is that sufficient capital is not spent on designing better projects. All too often, that is a product of Britain's financial systems, which concentrate so much on controlling initial costs and not enough on downstream revenue implications. In that respect, the PFI is a step forward, as it enables us to look at the life costs of a project rather than its initial costs. My criticism is a reflection on the Government's financing policies of the past 17 years as much as on anything else.

Mr. Nick Hawkins (Blackpool, South): Is the hon. Gentleman suggesting that the way in which the Treasury has dealt with the accounting of these matters in the past 17 years has differed from the method that it used under previous Labour Governments?

Mr. Betts: I am suggesting that many people in local government will know that the regime has become an

[Mr. Betts]

awful lot tighter and more rigid in the past 17 years, which has often forced the making of wrong judgments at the beginning of projects. I welcome the Government's decision to look at resource accounting, which the Committee is considering in a separate report, and I hope that they will look further in that direction. That will be an interesting debate for the future; resource accounting may resolve some of the difficulties.

The Government claim that savings will always be made, but the PFI is hardly cost free. The Committee heard a lot of evidence about the bureaucracy and delays in the procedure, including evidence on the Stonegrove annexe to the Royal Hallamshire hospital in Sheffield, which has been a committed priority for three years and has been in the PFI pipeline for approximately 12 months. Examples of delays were repeated in evidence given by representatives of the construction industry.

The other day, I was reading *The Mail on Sunday*—a newspaper that is not normally sympathetic to the Labour party—which carried a report on the Walsgrave hospital in Coventry. The contract for the PFI scheme at that hospital ran to 17,000 pages and a cost of £500,000—just for the beginning of the project's documentation. Someone will presumably have to account for that cost, which probably will be borne by the public purse. Similar examples are repeated around the country.

The report referred to difficulties with cost control in PFI schemes, and the Chairman of the Committee also referred to this matter. In a recent debate on the health service, we criticised the Minister for saying that the external financing limit was to be the control because it covers only the forthcoming three years. Many of the costs of PFI schemes, however, do not become apparent until at least three years after a project has been initiated. I am pleased that the Government are now setting up a proper monitoring system and that they will publish figures on the downstream commitments of PFI schemes. That is a step forward, although I would have been happier if more details had been provided.

There is great difficulty in making accurate comparisons between PFI and publicly funded schemes. There is no up-front cost in a PFI scheme, the costs of which can be considered only on a year-by-year basis once it gets off the ground. Under current rules, a public sector scheme will always have that cost—it is a hurdle to get over. The chairman of the PFI panel, who was appointed by the Government, said in evidence to the Committee that this gave an in-built bias to PFI schemes, rather than to traditionally funded schemes. If they want to make fair comparisons, the Government must look at their approach to the control mechanisms of publicly funded schemes. I hope that resource accounting will increasingly be viewed as a better way of dealing with those issues.

The Government responded to our concerns that we are handing decision-making powers over to private sector funding consortiums by saying that decisions on which projects go ahead remain with the Government. However, this year's Budget cut public capital expenditure by £2 billion. If a project has been identified as a priority—such as the annexe at the Royal Hallamshire hospital—but no PFI scheme is available to complete it, are the Government guaranteeing that public funding will be available to enable it to go ahead? The Royal Hallamshire hospital has already worked with three firms for nearly a year, two of which pulled out at the last minute. If the Government are not prepared to give that guarantee, they are saying that schemes will go ahead only if a PFI funder is willing to complete the project. In other words, the responsibility for deciding which projects are completed will have passed to the private sector, and that is worrying. It is one of the fundamental criticisms of the scheme and the Government must reply to it.

There are real problems with risk transfer, which is at the heart of the Government's message. They believe that as they are transferring the risk from the public to the private sector, they can stand back and any mistakes will be picked up by the private sector. Arthur Andersen's experience with the national insurance computer—and the Government's triumphant lauding of the fact that the £10 million losses will be borne by a private sector firm—will not encourage private firms to participate in similar projects. The Government should be worried about that.

It is relatively easy to transfer risk where a private customer pays for goods or a service produced under a PFI scheme. I draw the attention of the House to the combined heat and power project in Sheffield, which is not a PFI scheme as such but a partnership scheme. Sheffield university, local shops and other private sector institutions can purchase a heat source from a partnership company. That is clear—the risk lies with a company selling its product in the marketplace. It is a lot more difficult to transfer risk when the Government are paying for that service, and they must make sure that a clear mechanism is established so that risk is really transferred to the private sector. If risk transfer takes place, there is a further problem with many such projects.

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Betts: If the hon. Gentleman will excuse me, I will not give way because my time is limited and other hon. Members want to speak.

If risk is transferred, control is often transferred as well. That is a great worry and it has been raised in respect of hospital projects. It was clear from the evidence to the Committee that it is not possible to transfer non-clinical and clinical services as part of such schemes. The chief executive of Royal Hallamshire hospital at the Central Sheffield University Hospitals trust made that clear in his evidence. Further information has come from a hospital in Carlisle, where doctors have described a planned building as "more like a doss-house". That is because, to make the sums add up and ensure that, with the transfer of risk, the private sector can make its profit, more patients are being squeezed into wards. The hospital is trying to double up to make the project pay. That is a clear example of the PFI mechanism affecting the delivery of clinical services.

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Betts: I must continue because others want to speak.

It is clear from the evidence that it is especially difficult to transfer risk at the end of a project, whether it be Northern line tube trains or hospital or school buildings. There is not a free market in which to have real risk transfer. At the end of the 20 or 30-year—or even

longer—contract all that exists is a school, hospital or tube train for which there is no other use. On the other hand, the public sector needs the hospital, school or tube trains. In such circumstances, it is almost impossible to transfer risk in any real way.

If risk is transferred, we risk transferring control. If we start building schools through PFI schemes, and therefore transfer risk, and the operators are to be paid according to the number of pupils who attend the school, there will be a market in schoolchildren. The Government may be considering that scenario. The operators of the schools will advertise to get more children to get a bigger revenue stream. The next step would be that the operators would want to control curriculums so that they can have real control of the number of children whom they can attract. That is how elements of public policy, for which public representatives should be accountable, will pass to the control of the private sector. I am worried about that and want a response from the Government.

I am worried about accountability, to which the hon. Member for Hazel Grove rightly drew attention. I am worried that we will be able to audit schemes only after they have happened and that we will not get proper information about them beforehand because of commercial confidentiality. I fear corruption, because of the difficult problem of intellectual property rights and the fact that the schemes that will be compared will not involve comparing like with like. I am concerned that savings will come not from efficiency but, as with compulsory competitive tendering in local government, from cuts in the pay and conditions of low-paid workers.

The PFI and the Select Committee report raise many questions that have not been answered. If the schemes were progressing wholesale, I would be worried that the unanswered questions would cause difficulties in future. However, I am also worried because the evidence suggests that they are not progressing but are bogged down in bureaucracy and administration. The private sector is not rushing forward to put in bids for such projects. If that continues, because the PFI involves substitution not additionality, there will be many projects that the Government admit are priorities that will not go ahead. Public services will be the poorer for that. A complete rethink is needed.

I believe in the principle of partnership: in the public and private sector working together, where appropriate and where the private sector can bring additional benefit to bear on projects. However, I fear that the PFI goes back to a problem that has existed throughout the Government's life: the belief that the private sector is good and the public sector is bad. That principle is wrong and will not deliver better public services. I hope that the Government will rethink it, and quickly, before fewer and worse public services result from their scheme.

11.23 am

Mr. Jacques Arnold (Gravesham): The speech of the hon. Member for Sheffield, Attercliffe (Mr. Betts) is a good example of how the Labour party, observing new Government policies, wants to criticise them bitterly but leaves the back door open so that when they succeed it can claim to have supported them all along and, no doubt, in a few years can tell us that they were its idea in the first place. I read the Treasury Select Committee report with interest and noticed its endorsement of the PFI as an imaginative and laudable initiative. It is the latest of several detailed Government policies that the public have not generally noted amid the lurid headlines that we get in the press these days.

The hon. Member for Attercliffe tried to make great play of projects not making progress. In the short time available, I shall draw attention to a massive project that is making remarkable progress: the £100 million Darenth Park hospital, which is proposed by the Dartford and Gravesham NHS trust. I have been the Member for Gravesham for nine years. Over that time, and for many years before, the people of Dartford and Gravesham have relied on three elderly hospitals—the Joyce Green, the West Hill in Dartford and the Gravesend and North Kent in my constituency. I became fed up with being told by the powers that be in the health service that my health district had the worst capital stock in the region while nothing was done to replace it with the modern district general hospital that we all wanted. The reason for that was simple. ..

We have an excellent site at Darenth Park, cleared and ready for a hospital and owned by the NHS. The problem arose because of the old system, which is beloved of the Labour party. We had to go to my right hon. and learned Friend the Chancellor of the Exchequer with a project and say, "Please can we have a cheque for £100 million?" Inevitably, we were told time and again, "£100 million? Are you sure that you really need it? Have you done a thorough review?" Time and again, we had thorough reviews to ensure that the project was designed to use the latest medical technology and so on. The years passed by.

We proved that we needed the hospital. We proved that the proposed technology was ideal for the future of the hospital service in north-west Kent. Then we were told that £100 million was too large a part of the capital allocation to be given in one go and were asked whether it could be done in phases. We said that we did not want three old hospitals but one new one. They were proposing three old ones and a bit of a new one. That would have involved four sites, which is impractical. We were asked why we could not build the phased project on the site of one of the old sites. Someone who suggested to one of my constituents that we should build a phased hospital over 30 years at Joyce Green, would be in physical danger of needing to go to hospital.

The PFI is a magnificent opportunity to get the new district general hospital for north-west Kent. The Government have asked the basic question: do we need to own the hospital or do we merely need the use of a hospital with the latest state-of-the-art technology to provide hospital services to the people of the district? Clearly, the latter is the case. The NHS is not a property company, but, quite properly, is in the business of providing excellent health care to the population.

The capital costs for hospital trusts such as that which serves my area amount to about a quarter of their running costs. If those costs could be put into the PFI, it could well provide the solution to the problem. In the middle of a major construction recession, we, quite properly, went to the market and asked it whether it could put together a proposal for a private finance initiative to build a hospital for north-west Kent, all in one, on a cleared site at Darenth Park including the disposal of the old Joyce Green and West Hill hospitals and the release of the Gravesend and North Kent for other uses in the health service.

[Mr. Jacques Arnold]

Surprise, surprise, in the middle of a recession in the construction industry, we found five consortia which wanted to bid. Four of them were up to it and went on to bid. Two were excellent and they have now been invited to tender by early next month. Those two tenders will be considered carefully by the Dartford and Gravesham NHS trust, by the commissioners, the West Kent health authority, the Department of Health and the Treasury. We are looking to my hon. Friend the Financial Secretary to the Treasury and to Ministers in the Department of Health to analyse that thoroughly and rapidly in order to keep up with the programme.

It will be of interest to the House to consider the consortia that bid for the Dartford and Gravesham hospital. They typically included a construction company, a catering and housekeeping company, an administration and co-ordination company and a financial company, working together within their consortium to put together management expertise and the critical mass to take forward such a hospital project.

If all goes well, we hope, through the trust, the commissioning authority, the Department of Health and the Treasury, that a contract will be signed with one of the bidders by this autumn and that construction of the hospital will begin early next year. That is cracking good progress, but listening to Opposition Members one would think that nothing was going ahead. One might almost say that they hope that nothing is going ahead.

The hon. Member for Peckham (Ms Harman), who is conspicuous by her absence in this debate, scoffed with great amusement and derision in the House at the fact that the Dartford and Gravesham proposal was in a list B, which she claimed some sneak from the Treasury had leaked to her. If a project making such good progress is in list B, the Labour party had better make its traditional conversion to Conservative policy even quicker in this case.

I said earlier that the site of the third hospital, the Gravesend and North Kent hospital which is currently serving the local population, would be released. For my constituents, that would be icing on the cake of the brand new district general hospital at Darenth Park, because the Gravesend and North Kent site, which has been a hospital site ever since it was endowed by the Earls of Darnley in the last century, would become available for what we have long wanted in Gravesend, a community hospital, which would provide, through the Thameslink Healthcare Services NHS trust, a wide range of perhaps lower-tech services, but, above all, local services for the community. For instance, it would provide general practitioners' beds, beds for care of the elderly needing lower-tech hospital care, respite care and a wider range of out-patient departments, paramedical and diagnostic and other day care. The refurbishment and structuring for the 21st century of the community hospital in Gravesend at that site is costed at about £8 million, which the trust also hopes to advance in a PFI at that time.

I welcome the Government's innovative PFI policy. Projects such as my own are rapidly coming to fruition. Notably, the Treasury Committee has positively and enthusiastically reviewed the details. It is encouraging that 16 or 17 years into a Conservative Government, massive new reforms and new ideas are coming forward with such enthusiasm, which in this case will give reality to the dreams of my constituents—a brand new district general hospital, high tech, equipped for the 21st century to serve the people of north-west Kent.

11.33 am

Mr. Malcolm Bruce (Gordon): I do not think that anyone is against the use of the PFI to bring forward projects in partnership with the private sector and add to the provision of public services. I do not know the circumstances of the project described by the hon. Member for Gravesham (Mr. Arnold). It may be as he describes it, but I am a little concerned that he does not believe that there are any questions about the need to ensure that we obtain the best value for money for the taxpayer, and that we are not driving the scheme simply as a means of substituting public money with private, but are trying to obtain a sum gain in terms of quality of service.

Those should be the fundamental objective criteria by which the PFI is judged. By promoting the partnership between the private and public sectors there should be perceptible added value, either in terms of clear value for money or in terms of up-to-date technology and innovation, or, preferably, a combination of the two. Where those criteria are delivered, the PFI will have achieved its desirable objective and should be supported and endorsed. Those are the criteria that we should pursue.

The Select Committee, of which I, too, am a member, has rightly said that it agrees with that. It believes that the PFI is innovative and that there are benefits to be accrued from it, but it has some concerns and reservations which need to be addressed. Some of us are not entirely convinced that the Government's reply is, in some cases, satisfactory, and, in one particular case, begins to address the point.

One of the Committee's particular concerns was that the PFI was being driven by the financial constraints of the Treasury and the need to substitute committed public expenditure with PFI projects, and that that was what was driving it. As a consequence, projects might go ahead, or be forced to go ahead, for those reasons only, so not meeting the two criteria that I set out as desirable at the beginning. The Committee had some evidence that that was the case.

It was a matter of concern to me that, in the first evidence that we took from Treasury officials only a few months ago, it was acknowledged that the criteria or the monitoring process on which the PFI was to be judged had not been worked out. That gave me the impression that it was being driven by financial considerations rather than innovation and value for money.

I was disappointed, as was the Committee, which is why it instigated the inquiry, that the claims for the PFI, in terms of the number of projects and the value that could be delivered, were not being fulfilled, and clear problems were arising which had not been anticipated. Despite the fact that those problems were obviously arising, which is why the Treasury could not prove the schemes at the rate that the Government had forecast, the Government did not revise their forecast, or if they did they revised it upwards. Basically, 100 per cent. of the Government's new committed expenditure is to be found from a PFI scheme that has not been fully tested, evaluated or proved capable of delivering that volume.

I want to mention one or two projects of particular concern to me. Either we will stumble into projects which will subsequently prove to be bad value for money or, worse, may even lead to the project failing and public money being written off, or we will not achieve the committed public expenditure that the Government are claiming. The Government say that they want to build more hospitals and roads and, during the general election, they will tell everyone that that is what they will do. However, they will not be able to find the money within the normal budgetary procedure, so they will pluck it all out of the air as being delivered by the PFI, despite the fact that they know that there are not enough projects and not enough companies coming together to deliver that. Therefore, the Government know that what they are saying is essentially a lie and that they are putting a forecast that they know they cannot deliver. The Select Committee has some reason to suggest that that has some substance because the Government have to date failed to deliver their forecast promises.

We all expect the PFI to accelerate and, if they are the right kind of projects, I shall certainly welcome them, and I believe that those of our constituents who can see benefit in them will also welcome them. But let me put from my own knowledge the sort of concerns that arise which I believe are legitimate. The hon. Member for Gravesham said that projects were going ahead out of the glare of the tabloid headlines. Perhaps they are, but yesterday, in *The Herald*, a broadsheet, there was the headline

"A tender moment of truth",

referring to the announcement of the successful bids relating to Stonehaven hospital in Kincardine and Deeside. The Stonehaven hospital project is a small one, but in other ways it is similar to the project that the hon. Member for Gravesham has described—with one fundamental difference. There are two outdated community hospitals in Stonehaven, and there is wide agreement that they need replacing by one up-to-date community hospital. The difference between this project and all others is that, under pressure from the Scottish Office, the health board has been required to invite bids for the whole hospital, including the provision of clinical services. It will be the first hospital in Britain where the clinical services will be operated and managed by a private concern.

People are right to say that this marks a significant development in the national health service. For many, it marks the beginning of the end of the NHS as we have known it. The Government have said—as a matter of agreed public policy—that when a hospital is to close and a new one is to be built there will be public consultation. The local authorities, trade unions and others with an interest have asked about the procedure for consulting on the closure of the hospital. The ministerial reply was that the Government had widely consulted among local GPs and the community about what will actually go into the hospital, so they considered the matter closed. That means that they are avoiding their statutory obligation; if they go ahead in this way they may find themselves subject to judicial review.

In effect, the public were told that they could have the hospital on the terms proposed—with the clinical services put out to tender—or they could have no hospital. No other option was given. Indeed, the health board explored a different route with one of the local health trusts, to its satisfaction, but was overruled by the health service administration in Scotland and told to issue a competitive tender.

The private sector faces certain problems too. There were seven bidders for the hospital, three of which have progressed to the final stage. As the PFI gathers momentum, private bidders express concern at the cost of preparing bids many of which, by definition, will be unsuccessful. Companies of all sizes have expressed a clear reluctance to prepare endless numbers of tenders that will result only in lost money.

This is not an argument against tendering: it is an argument for recognising that unless there are enough objective and competitive tenders around, companies may not be prepared to bid, as they find that costs are so high that they have no serious prospects of getting their money back.

We shall know in a week or two who has successfully bid for the hospital. There is a widespread suspicion that the contract will go to the local NHS trust. I do not say "suspicion" to suggest that that is not what people want—it is exactly what they want—but there is a real suspicion that the whole tendering process has been a charade, with the result that the local trust finally gets the contract that it was awarded in the first place anyway; but with the waste of a year, at considerable cost, and following a diversion of a great deal of trust management time from other possible projects. They include a community hospital at Ellon in my constituency. The trust management simply did not have the resources to deal with both processes at once. When the management says that it has had to divert all resources to winning the tender for one project, it is clear that it has had to abandon work on the other. That is not accelerating such projects; it retards them.

The Committee has also expressed its concern about the Skye bridge PFI project, which continues to cause considerable controversy in Scotland. The people of Skye believe that they are entitled to modern transportation links, of which the bridge is one part. But they were effectively told that, as a small and remote community, they had no chance of being given as much priority as a community closer to the centre would get. That is somewhat ironic; it is precisely because Skye is so far away that its people need improved transport links. The Committee report states:

"Our specialist adviser drew attention to the fact that the Skye Bridge received the blessing of the Highland Regional Council only after the Scottish Affairs minister, Lord James Douglas-Hamilton, said that there was no possibility of a toll-free bridge for at least 20 years. This not only calls into question whether 'best value for money' was obtained but also highlights the concern that the decision to proceed with projects is determined by the funding mechanism rather than an evaluation of desirability."

I contend that the same applies to Stonehaven, the decision on which will be announced shortly.

My final example shows, as the hon. Member for Sheffield, Attercliffe (Mr. Betts) pointed out, that local authorities in my area are not at all averse to exploring private finance initiatives when they think that they will give rise to good projects offering value for money. They are in the early stages of exploring the possibility of building a new academy—the Garioch academy—in the heart of my constituency. In preliminary discussions, private companies are being asked whether they would be interested in bidding. They are also being asked what is

[Mr. Malcolm Bruce]

in it for them, what is in it for the local authority and what is in it for the people who would use the school. The only answer so far has been that the janitors would be paid less. A school does not employ a great many janitors, so the savings will not be huge. We are looking at the possibility of dual use—giving the community a recreational and sporting interest in the academy. If the local authority can use the PFI to get the school built, I have no doubt that it will do so.

The problem is that this will take a good deal of time and there is no guarantee that the right kind of package will ultimately be found—or that anyone will want to bid. The fact remains that we desperately need the school, but we are told by the Government that there is no chance of the money being provided for it. Nor have we been given any guidance on how to find it.

The PFI does offer innovation potential for unlocking funds and giving added value for taxpayers, and that is commendable. Our concern, however, is that the PFI may be driven by other motives—that it may be a substitute for public spending commitments that will serve only to delay projects. That will put public money at risk; or it may convert public capital projects into expensive hire purchase agreements, costing taxpayers more in the long run. The Government have responded to the Committee by saying that they intend to monitor the PFI so as to avoid this problem. I should like the Minister to spell out how the Government intend to publish evaluations of projects so that we can see where there has been success, or a lack of it. That in turn will inform those working on PFI projects, ensuring that the good ones go ahead and preventing too much waste of time and money in the case of projects that are bound to collapse.

If we can achieve what I have outlined, in a few years' time the PFI will be seen to have made a large additional contribution to public services in this country.

11.47 am

Mr. Nick Hawkins (Blackpool, South): I am delighted to have the chance to speak in this short debate. I want to touch on one or two matters mentioned by the hon. Member for Gordon (Mr. Bruce)—and on some of the points raised by the hon. Member for Sheffield, Attercliffe (Mr. Betts).

As the Minister knows, I have strongly supported the private finance initiative. I have had a number of meetings with him recently to try to help the Government's development of the PFI. I believe that using the private sector in such projects will provide the public services with better assets for the future.

I should declare my background and my interest in this regard at the outset. For some time before coming here I was a corporate lawyer, spending some of my career in the construction sector. More recently I became the parliamentary adviser to the Building Employers Confederation.

The construction industry, along with Her Majesty's Treasury, has played a big part in the development and the improvement of the PFI process. I shall refer to the points that the Construction Industry Employers Council—a big umbrella body—put to the Committee. The Committee's report is positive about the private finance initiative—it does not share the concerns of the hon. Member for Attercliffe about the transfer of risk. He put forward his points in rather lurid terms, and I shall refer to them later.

I hope that my hon. Friend the Minister—in addition to the Government's formal reply to the Committee—will be able to give hon. Members further reassurance today. People from the construction industry and from the legal profession who submitted evidence to the Committee believe that the bidding process should be more straightforward and simple. In particular, they believe that there should be much more use of standard clauses—not just on peripheral issues, but on major issues—to cut down the amount of documentation.

The Committee heard evidence that the Government should, in future, seek to ensure that only those projects that are genuinely viable for the private finance initiative are put out to competition and ensure that the recently issued Treasury guidance that no more than three or four bidders be invited to produce a full tender is strictly adhered to by the public sector bodies.

I draw the attention of hon. Members to the evidence given to the Committee by Sir Christopher Bland, the then chairman of the private finance panel. He talked about the importance of improving training for those in the public sector and about the intensive training that was provided. In answer to questions from the hon. Member for Attercliffe in the evidence session, Sir Christopher made the point that there is a need to train people in the public sector so that they understand how the private sector works—this will enable PFI projects to go forward. Throughout my career—both before and since becoming a Member of Parliament—I have always believed that it is important for the public sector to understand how the private sector works.

A single preferred tenderer must be identified as early as possible. Everyone understands that the gestation period for most private finance deals is extremely long and involves considerable expense. Bidders are generally willing to make a significant investment if they have a reasonable chance of securing the project, but as the costs escalate they will be reluctant to continue to spend if they are still in a competitive situation—all the money may go to waste.

Those on the public sector side, the Government side, of a possible PFI project must, at the outset, take a realistic attitude to those risks that can be transferred to the private sector. Contracts that contain unacceptably onerous conditions should not be offered—perhaps, as a corporate lawyer, I am arguing for less work for lawyers. It is important that these deals do not get snarled up in vast amounts of contract documentation and negotiations.

Wherever possible, standard contract documents should be produced for PFI projects. This was stressed in evidence to the Committee by S. J. Berwin and Co. and by Beachcroft Stanleys, two leading firms of solicitors that have extensive experience of projects such as this.

The hon. Member for Attercliffe mentioned two hospitals—and, as it happens, I know quite a bit about both of them. Both of my sons were born at Walsgrave, Coventry, and my father-in-law trained as a doctor and subsequently worked as a consultant at the Royal Hallamshire, which is in the hon. Gentleman's constituency. I am well aware of what is going on in those hospitals, and I understand some of the things that he talked about. In particular, I share his concern about hugely complex contractual documentation.

The hon. Gentleman talked about the transfer of risk and the need to try to keep things in the public sector. I refer to the unsuccessful world student games, the cost of which the hon. Gentleman—as the then leader of Sheffield city council—and his colleagues cast on to the council tax payers of Sheffield. I would have thought that he would understand that it is better if risk is transferred to the private sector and that the projects that need to be in the private sector benefit from the transfer of risk so that burdens are not cast on the taxpayer.

I have emphasised some of the ways in which construction projects, in particular, can go forward with further help from the Government. This morning, for about an hour I met the director of a company that has been involved in PFI bids—in a totally different field, but one in which PFI projects are being considered. The one point that he emphasised was the importance of training public sector people who are involved in PFI negotiations to think like private sector people so that there can be a genuine meeting of minds. Only when that happens in every possible PFI project will we have more successes, such as the one in the constituency of my hon. Friend the Member for Gravesham (Mr. Arnold), which he highlighted this morning.

11.55 am

Mr. Stephen Timms (Newham, North–East): Two months ago, the Financial Secretary to the Treasury addressed a conference on the private finance initiative in the health service. Apparently, without a hint of irony, he stood before the delegates and said:

"Many of the hospital managers here today can testify that PFI has meant that their own local scheme has finally been able to get off the ground."

There were looks of blank incomprehension around the conference hall because the PFI has delivered precious little so far in the health service—in fact, it is in trouble. The big contracts that the Secretary of State for Health keeps announcing—he has been making announcements for more than a year—are a long way from being agreed. In March, the Treasury Select Committee established that not one of the contracts for the major schemes had been signed—and they still have not been signed at the end of June.

Special legislation was rushed into law in an attempt to facilitate the contracts, but still nothing has happened. Only a fraction of the capital projected in the Budget last November to be spent in the health service through the PFI—as has been said, it was a justification for the substantial drop in the national health service budget—has been committed.

The major investment projects for which the NHS is crying out are in limbo. The banks and institutions, whose money is needed, are deeply unhappy with the way in which the initiative is being handled. The handful of big projects that are said to have got off the ground are still firmly on the ground.

I hope that the optimism expressed by the hon. Member for Gravesham (Mr. Arnold) proves to be well founded. At the moment, the bankers are not putting up the money. I caution the hon. Gentleman against putting the bunting out about the success of the project before the money is in place—the banks are currently saying no.

I hope that the Financial Secretary will be able to explain to us exactly what the problem is with the banks. I hope that he will be able to explain why none of the major health service projects has got to the contract signing stage. What steps are the Government taking to sort out the problems?

Mr. Jacques Arnold: I believe that the Opposition's tactics in trying to oppose the National Health Service (Residual Liabilities) Bill had something to do with it. The passing of the Bill only emphasises to the lenders that the security for their lending will be protected, in terms of both the capital lending and the flow of repayment.

Mr. Timms: I understand that that is not the reason. Perhaps the Minister will be able to give us more information. I am interested to know why that is the case. At the moment, none of the projects is going forward.

Before saying a little more about the PFI in the health service, I wish to make some general comments. The PFI is in trouble, and not only in the health service. It seems that no Sunday business section is complete these days without its PFI bad news story. Recently, *The Mail on Sunday* carried such a story, and there have been plenty of other such stories. The initiative is in trouble.

We all welcome the use of private capital to improve public services, but the central problem is that the PFI is being much too widely applied. It is being pressed into service when it is not appropriate and before the necessary procedures have been adopted. The PFI should be a way to lever in additional resources for public services, but it is being used to achieve short-term cost savings this side of the election. That is wrong. It is also depressing because, when the bills come in, the PFI will probably cost us more than procurement by the traditional route.

I am pleased that the Government's response to the Select Committee report promises that data will be published on the long-term revenue commitments from PFI deals. That is progress, but the reason given for pressing the PFI into action is that private stewardship is more effective than public. Certainly, the cost of the finance is greater, because private borrowing costs more than public, so we have to believe that private management is more effective than public by a margin that exceeds the excess financing cost. To make sense of the Government's insistence that PFI should be used everywhere, one has to believe that private management of an asset is always more cost-effective than public management by a margin greater than the financing costs. The Government plainly believe that, but nobody offered any evidence to the Select Committee. The Government's response to the Select Committee contains assertions to that effect, but they are not substantiated. I am keen to see some evidence that would substantiate those claims, because they are at the heart of the case for the current version of the PFI.

The Government have made the point that the PFI always contains a public sector, value-for-money comparator, but a false comparison has been made. The comparison is between a public sector solution and a different private sector solution. The latter may be the better solution, but nobody asks whether that solution would be more effectively procured with public sector finance and management. That is the real comparison that should be drawn, but it is not.

Private finance can genuinely help when the creation of an asset generates a new, tangible stream of revenue which can be used to lever private capital into the project.

[Mr. Timms]

For example, the construction of a bridge, as we have heard, might bring a revenue stream in toll income and construction of a hospital may lead to revenue from car-parking charges. Those revenue streams may be used to lever an element of private sector capital into building the bridge or the hospital car park. If there is no such revenue stream, the case for private finance is much weaker. As one of the written submissions to the Select Committee suggested, there is no benefit to the economy in building a hospital with private finance rather than public if, in the end, the whole cost will be met from taxation.

The problem is that we have lurched from one extreme to the other. Under the rules drawn up by Sir William Ryrie—who, I notice, re-emerged as a director of Barings bank, at the time of its crash, after his retirement from the Treasury—no private capital was involved at all. Under the present arrangements, private capital must be used except in what has been called the

"relatively rare set of circumstances"

set out in the Government's response to the Select Committee report. We need a middle course so that private finance can be used to supplement public, when appropriate.

When the Treasury Select Committee took evidence on the use of PFI in the health service, it became clear that the initiative had run into more trouble in the health service than anywhere else. We found five major areas for concern. First, the initiative has so far had only a marginal effect on resources in the health service and capital spending has been cut in the false expectation that PFI money would replace it. Secondly, many witnesses spoke of the failure of Departments to provide clear objectives for bidders and of the excessively high cost of putting in bids that have little chance of success. Thirdly, there is clear evidence that in some cases PFI

"has delayed rather than encouraged investment, by creating a need for testing and uncertainty over the level of public funding".

It has also introduced huge additional bureaucracy to project initiation. Fourthly, the provision of services under a PFI contract may be liable to be dictated, not by need, but by the level of return available on a private investment lead, so leading to a health service without strategy or priorities. Finally, it is difficult to make a clear distinction between clinical and non-clinical services, but health managers have been forced to make it by the Government's express requirement that PFI should not be used for clinical operations. The omission of clinical services from the PFI is telling, because if the Government's dogma—that private sector management is always more effective—were true, clinical services should be included. They have been excluded because the Secretary of State for Health has recognised that the dogma is wrong in this case. It is wrong elsewhere, too.

The most striking aspect of what has happened to PFI in past months is the extraordinary degree of disillusionment felt by the contracting companies about the scheme. Small companies felt excluded when the Select Committee took evidence, but one by one the big companies have now joined the attack. Mr. Martin Laing, the chairman of Laing and of the Building Employers Confederation, has said that it was frustrating how little work had emerged from the private finance initiative. In March, Mr. Laing said that the existing regime was

"farcical . . . leading to growing frustration among contract bidders about the appallingly slow rate of progress".

In May, Bovis said that it would not tender for any more PFI road projects and refused to budge even when its representatives were summoned to 10 Downing street to explain. Taylor Woodrow said in May:

"everything is slow, the bidding costs are high and we haven't had any tangible results yet. We are still to put a spade in the ground on a PFI project."

This month, it has been revealed that W. S. Atkins is to stop bidding for PFI health care projects. With Trafalgar House, it has pulled out from the Central Sheffield University Hospitals NHS trust, leaving only one bidder in the frame.

I am disappointed by the Government's flip and superficial response to our report. It is a good report, which the hon. Member for Hazel Grove (Sir T. Arnold) summarised well earlier in the debate, and it deserves a more considered response from the Government. Without one, the bad news from the PFI will continue.

12.6 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): I welcome the opportunity to speak in the debate. I wish to apologise because I was not here to hear the distinguished Chairman of the Treasury Select Committee introduce the debate, but I am sure that he did so with his normal distinction and aplomb.

Everybody on the Treasury Select Committee, regardless of party, welcomes the use of private sector finance for public sector projects in principle, but we wish to flag up the problems. I shall deal with three issues this morning: first, whether PFI represents additional money or is simply a substitute for public expenditure; secondly, whether PFI is suitable for the full range of public sector projects; and, thirdly, the challenge PFI poses for the public's ability to monitor public finances and expenditure.

On the first point, the Select Committee has noticed conflicting positions from Ministers. In his 1994 Budget speech, the Chancellor said:

"The growing importance of private finance has helped us to find significant savings for the taxpayer in the transport programme."—[*Official Report*, 29 November 1994; Vol. 250, c. 1085.]

But the Chief Secretary, in his evidence to the Select Committee, said:

"Private finance is genuinely additional."

Which is correct? Is PFI about savings for the taxpayer or is it about additional money?

My second point is whether PFI is suitable for the full range of public sector projects. When the Select Committee began its inquiry, the standing instructions from the Treasury were that every public sector project had to be examined for its suitability for PFI. People in the public sector complained about that and the bidders and contractors said those rules were ridiculous because time was wasted considering unsuitable projects. It is clear from the Select Committee's inquiries that PFI is probably most suited to projects with a natural revenue stream and it is least suited to publicly sensitive projects such as the health service.

We want private sector money to be used to solve existing public sector infrastructure problems. Decisions about the way in which we spend money and what is built

must not be distorted by the PFI. The House of Commons must take decisions about our public sector infrastructure priorities and then look to the PFI—the PFI should not drive our public sector building and infrastructure programme.

It is clear to the Committee that future PFI commitments are being entered into across a range of Ministries without any central monitoring. In a sense, PFI embraces the "buy today, pay later" approach—it is a form of hire purchase. We are concerned about public finances and we believe that the Government are not paying enough attention to central monitoring and to keeping control of the taxpayers' long-term financial commitments.

The Committee members support PFI in principle, but we believe that its applicability is much narrower than the Government claim. In fact, the PFI's applicability is probably restricted to those areas that my right hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott)—who introduced the forerunner of the PFI—set out in his original ground-breaking speeches on the subject.

12.10 pm

Mr. Mike O'Brien (North Warwickshire): I congratulate the hon. Member for Hazel Grove (Sir T. Arnold) and the members of the Treasury Select Committee on a very good report about an issue of enormous importance. I assure my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) that the Chairman explained the report with his usual distinction and aplomb.

The report contains many forceful criticisms of the private finance initiative that the Government must address. The Chairman set out the main concerns succinctly: additionality or substitution, the transfer of risk, accountability, the bidding process, value for money and public expenditure control. The Committee decided to undertake the inquiry after I ceased to be a member of it. However, I was a member of it for 18 months, and in our report on the November 1994 Budget we noted that the PFI had failed to attract significant private interest. We expressed concern about whether it was supposed to provide substitute or additional funding.

In the present report, Committee members—apparently without controversy—say:

> "We continue to see PFI as an imaginative and very laudable initiative to attract private capital into areas into which it has not before previously been drawn."

Labour shares the Committee's welcome for the PFI in principle, as did the hon. Member for Gordon (Mr. Bruce) on behalf of the Liberal Democrats. Indeed, that principle enjoys broad support. However, we share some of the Committee's concerns about the way in which PFI is operating and we agree that a number of important issues must be resolved.

Before I respond directly to the report, I shall set out Labour's general view about public-private partnerships and the PFI. In politics, new ideas tend to meet with the same pattern of response: at first they are dismissed, then they are embraced with a zealotry that is out of all proportion to their worth and then they settle down to the recognition that they are much less valuable than the zealots thought but, none the less, are of considerable worth.

In the 1980s, the old Ryrie rules introduced phase 1. They restricted the ability to apply PFI and the whole idea was greeted with suspicion. The Government have now entered phase 2, with the Financial Secretary perhaps the zealot incarnate of PFI—a description that I suspect he would not deny. He has abandoned the reality of public finance and believes that the PFI is the answer to all the Tories' financial problems.

It is partly ideology and partly desperation that drives the Treasury to reduce public spending. It thinks that the PFI is an all-purpose Tory life raft for public capital spending. When the Government sink, the Financial Secretary will realise that he was wrong. As befits the party of the future, Labour has already reached phase 3, but we appreciate that the PFI is not the answer for all public capital projects. It is an alternative, useful and often attractive source of finance in particular circumstances. It should be used where appropriate, but it cannot be a substitute for public spending on all capital projects.

We support the principle of joint public and private sector investment; indeed, many Labour-controlled local authorities have pioneered such investment. Joint provision will become increasingly common in the future. It will be an important part of our policy and the driving forward of such ideas will be a key aim of a Labour Treasury. A partnership between the public and private sectors can enhance public provision by introducing new sources of finance and expertise. However, there are key distinctions between the way in which the Labour party and the Conservatives approach PFI.

The Conservatives seem to be dawdling in the same old ideological rut—the mindset that private is always best. Labour has set aside the old ideological battle lines between the private and public sectors. We recognise that those sectors can complement each other: there are things that the private sector does best and areas where public sector finance is more appropriate. In some cases, a combination of public and private sector provision is necessary. Joint provision is often appropriate in areas such as savings provision, training and investment in infrastructure.

Labour will adopt a practical approach to those issues. Our primary concern is to ensure that the public get the best possible provision of services and the best value for money. In many ways, we are moving beyond the old concept of the mixed economy. Public and private provision are increasingly interlinked. Under the classic mixed economy, a certain percentage of ownership was in public hands while another percentage was in private hands. We are developing beyond that point. In some cases, it is possible to harness the best of both worlds—the two sectors are being fused.

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. O'Brien: No, I am afraid that I am short of time.

Public-private partnerships can play a key role in that context. For years, Britain has suffered from under-investment in its economic and social infrastructure. The poor physical condition of the nation's public buildings, transport facilities and communications bear testimony to the need for investment. Jobs need to be done and there are people ready to do them. Businesses are keen to have new opportunities to ensure that the work will be completed and the profits gained. The Government

[Mr. O'Brien]

must set out their clear priorities and establish a framework within which that investment can be made. Only the Government can put that framework in place and set strategic priorities. The public and private sectors could work together in that way, but unfortunately the Government are failing in that task.

Labour shares the concerns expressed by the Treasury Select Committee about the Government's general approach to the PFI. We are worried that the Government's projections regarding the value of PFI projects may be over-optimistic. The Government predict that the PFI will increase from £600 million in 1995-96 to £1.9 billion in 1996-97 and to £2.6 billion in 1997-98. We also agree with the Committee—and with my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts), who set out his concerns in an excellent speech this morning—that the Government are treating the PFI as primarily substitute funding. In paragraph 7 of its report, the Committee states:

"It is enabling the Government to cut capital budgets in future plans."

That may be valid in some circumstances, but it was hoped that the PFI would provide private capital that could be added to public money to widen and improve public sector services. In paragraph 6, the Committee correctly says:

"If there is a serious shortfall in the PFI projections it will be difficult to provide money from public capital budgets to fill the gap."

It remains to be seen whether the Government are being over-optimistic and whether there will be serious shortfalls. If that occurs, the Committee's warning will have been timely and it will serve as a useful reference point for assessing the Government's performance on PFI.

The Government's attitude to the PFI has been criticised by Adair Turner, the director-general of the Confederation of British Industry, who said:

"The pressure to achieve public expenditure cuts is ferocious, the capital expenditure budget looks an attractive target and the PFI is seen as a justification for major cuts."

Last September, the Building Employers Confederation claimed in its Budget submission that the Government's decision not to approve capital projects until private finance options had been explored had led to a

"serious hiatus in the placing of public sector construction orders."

Those concerns have been reinforced in a number of sectors. The Government's "buy now, pay later" approach to the PFI raises serious concerns for Parliament. The Treasury Select Committee report presents an alarming array of evidence regarding the Government's cavalier approach to the PFI.

Mr. Jacques Arnold: But you are in favour of it.

Mr. O'Brien: Yes, we are in favour of the principle, but we dispute the Government's cavalier approach. That is a serious problem. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. There is an unattractive chorus emanating from the Back Benches. I ask hon. Members on both sides of the House to keep quiet.

Mr. O'Brien: I am grateful to you, Madam Deputy Speaker.

To some extent, the Treasury's response to the Select Committee must be welcomed, because it acknowledged the nature of the problem of monitoring and promised that it would seek to monitor commitments to

"safeguard against an imprudent build up of liabilities in the future which might impair a future government's ability to change spending priorities, reduce spending in a given area or to deliver the relevant services in another way".

Yes, and about time, too. The Treasury should have realised that an awful long time ago. However, it then goes on to say:

"The precise details of the control regime would be individually negotiated between departments and the Treasury".

It is unclear precisely what that means. It seems that the Treasury has changed its hands-off approach evidenced in earlier documents to the Committee, but it does not appear that it has any effective controls in place to ensure that the PFI is delivered within reasonable public expenditure controls. That is clearly inadequate, and the Financial Secretary's apparent response to the Committee—"It is better to travel in hope than not to travel at all"—borders on a bizarre approach to public finances.

When the Committee's report considered value for money, the Treasury's position became a matter of even greater concern. Labour will adopt an entirely different approach. We believe that it is the Government's job to set out a policy framework, against which companies can be expected to plan. Having determined our priorities, the private sector can then make its proposals. The models that we shall adopt will be flexible and appropriate to the circumstances.

We propose to set up a unit to ensure that projects get off the ground. We shall ensure that public bodies are equipped to deal with the projects. The primary duty of Government is to ensure that services are delivered for the benefit of the public. That means using the expertise and innovation that is available to this country, while keeping a rigorous control over the cost of the liabilities being entered into. Control of public spending is essential if we are to maintain economic stability.

This partnership has tremendous potential. The tragedy of it is that the Government see the PFI as an opportunity to privatise policy making and decision taking and have abdicated their responsibility. That is one of the reasons why the PFI is in its current state. Labour has a new approach, which I believe will increasingly command the support and confidence of the public and the private sectors.

12.21 pm

The Financial Secretary to the Treasury (Mr. Michael Jack): In the few minutes remaining , I shall do my best to reply to the debate, which was so ably opened by my hon. Friend the Member for Hazel Grove (Sir T. Arnold), who, in balanced, careful and exacting terms, dealt with the Committee's extremely good report and the Government's response to it.

Time may prevent me from replying in detail to every comment that was made by Opposition Members, but one thing that came shining through was the fundamental discomfort of many Opposition Members—on both the Front Bench and the Back Benches—about what the private sector can deliver; a fundamental distrust lingered beneath their comments.

The hon. Member for North Warwickshire (Mr. O'Brien) said, in effect, "Labour will take back control. We don't really want the private sector to make progress in these particular areas."

Compare and contrast that entirely negative view with that of my hon. Friend the Member for Gravesham (Mr. Arnold), who eloquently pointed out the benefits of the PFI in rapidly making much needed health improvements for his constituents. My hon. Friend asked whether we could pour oil on the wheels that do the deals. The private finance panel executive plays a major part in helping these projects to come to fruition. I can assure him that I shall draw his remarks to its attention and ask it, where appropriate, to give every assistance.

My hon. Friend the Member for Hazel Grove mentioned additionality, as did other hon. Members. He will recall that I gave evidence to the Committee. When the Government decide the amount that they will spend, the services that they purchase under the PFI fall within that financial envelope, so projects that are not straightforwardly financed from public moneys must by definition be additional.

More important, when one compares and contrasts the benefits from private finance—value for money and risk transfer, and one has only to look at projects such as the British Library and the Limehouse link, referred to in our reply to the Select Committee's report, to realise the benefit of those—one sees that a great deal of public money was wasted in the past because there was no proper procurement and because risk factors had not been properly considered. Under the PFI, those risks are now borne by the private sector, not the public purse, so each pound that the public sector spends can be made to work harder to provide high-quality public services.

My hon. Friend the Member for Hazel Grove mentioned control and monitoring, as did other hon. Members. I have never made a secret of the fact that, with an initiative that is only three years old, there will always be much to learn and that there will be an opportunity for constructive criticism and a chance to refine and improve. I very much welcome what the Select Committee said as a contribution to that debate.

My hon. Friend mentioned the bidding process. We have, subsequent to the Select Committee's report, published a new set of procurement guidelines, which have been widely welcomed by many of the people who were quoted by Opposition Members as being critical or in some way against aspects of the PFI. *[Interruption.]* It is important that we continue to refine the bidding process to take cost out and continue our work on, for example, producing standard clauses for contracts, all of which will help to deal with some of the reasons why private sector companies have reprioritised.

Some of the companies have said that they already have so many bids on their plate that they will not make any more because their resources or their manpower are limited. It is not, though—to answer the criticism of the hon. Member for Hackney, North and Stoke Newington (Ms Abbott)—because they have issued a vote of no confidence in the PFI. Far from it. When I saw the number of companies that attended the roadshows that I visited around the country; the number of companies that continue to bid for projects— *[Interruption.]* If the hon. Lady had listened, she would have heard that I answered her a moment ago. *[Interruption.]*

Madam Deputy Speaker: Order. I wish that the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) would refrain from making what is becoming a running commentary.

Mr. Jack: Those companies maintain their interest in the PFI and certainly in the health service. To date, 34 PFI contracts, worth £82 million, have already been signed. Six major hospital schemes, with a capital value of some £386 million, have been improved in the past few months. Our new private finance panel chairman, Alastair Ross Goobey, and I share one thing in common: our top priority is to ensure that those deals are signed. They are complex deals. They are difficult to execute, and they are not helped by the noises from the hon. Member for Peckham (Ms Harman), who runs around saying, "This is all about privatising the health service," when nothing could be further from the truth.

Mr. Betts *indicated dissent.*

Mr. Jack: The hon. Gentleman shakes his head. He obviously has not read the relevant section of "Private Opportunity, Public Benefit", which shows quite clearly how the private sector's expertise in the provision of certain medical services under the direction of the NHS can be a tremendous boon and a blessing to patients.

I listened with incredulity to the outburst of the British Medical Association. The PFI attracts resources that improve the delivery of health care. All we hear from the Opposition are noises questioning whether this is a good idea. My hon. Friend the Member for Gravesham clearly and positively proved that the way forward is to back the PFI. It brings new, innovative solutions, better value for money and, most important, NHS health care delivered under the current terms of the NHS in better facilities for patients. Surely that is something on which we can all agree.

The hon. Member for Gordon (Mr. Bruce), who, sadly, is not in his place but who kindly wrote to me, made a thoughtful and helpful speech. He drew our attention to two fundamentals of the PFI: perceptible added value and the use of up-to-date technology and innovation. That is precisely how we achieve the better value for money that lies at the heart of the private finance initiative.

Interestingly, perhaps the most knocking copy came from the hon. Member for Sheffield, Attercliffe (Mr. Betts), who led a council into near-financial disaster over the arrangements for the Sheffield games. He smiles, but he illustrates as no one else can how the lack of any business acumen among Opposition Members undermines their understanding of what the PFI is all about.

The Government will monitor carefully the forward commitments entered into by Departments, but that is part of a controlled whole. At least this Government have a grip on public expenditure, unlike the hon. Member for North Warwickshire, who gave us no figures. That is typical of Labour's menu without prices. Whatever it has to say, on a menu without prices its diet will be utterly unaffordable.

Madam Deputy Speaker: Order. We must move to the next topic.

Dance and Drama Students

12.30 pm

Mr. Peter Luff (Worcester): There are some things that this country is quite simply best at—and I am not just referring to football. Theatre is one of those things. Britain can be justifiably proud of its theatrical heritage. We have enormous artistic talent, but the worldwide reputation of British dance and drama has been built on the hard work, dedication and training that are required for success in those demanding professions. Some 93 per cent. of our dancers and 86 per cent. of our actors and actresses were trained professionally, and most of our finest performers began their careers at the small number of independent dance and drama schools that still promote professional standards and excellence in the performing arts.

Together, those independent schools provide a system of training which, as Sir Anthony Hopkins said—a man, incidentally, whose personal contribution to the training of our young people is generous in the extreme—

"is the envy of other countries; we produce actors who are respected and revered around the world and who can be fine ambassadors for the nation."

Those fine actors and dancers enhance our cultural lives, but they also play a major part in attracting visitors to our country. London's theatre life is a magnet for tourists from overseas, and from elsewhere in the country. It is a huge factor in the economy of London and the nation. Around Britain, regional companies rely on, and themselves develop, the pool of well-trained actors and dancers produced by our specialist stage schools. From Sir Andrew Lloyd Webber's latest musical to the revivals of classic dramas, and from the Royal Ballet to the latest contemporary dance, one strand runs: dependence on British performing talent.

Thanks to the national lottery, we are investing in the physical infrastructure of the arts on a massive scale, but we are ignoring human capital in a cavalier way. We also risk destroying the long-term training infrastructure of fine schools that may be forced to close or make invidious choices—schools such as the Birmingham school of speech and drama, the central school of ballet and the Doreen Bird college of performing arts, of which we have every right to be proud.

Young talent must be trained in dance and drama schools, not just at higher education institutions and universities. After years of warning, we are now at the very edge of the precipice. Very soon—apart from the lucky few who live in the right place, or whose parents are prepared to make enormous sacrifices to ensure that they are trained: some constituents of mine have sold their home to fund their daughter's dance training—only the rich and the foreigner will be able to be trained at British schools of performing arts.

Sir Andrew Lloyd Webber said 18 months ago—his office tells me that he stands by these remarks—

"This country is famous for its talent in this field. The present policy could lead to a serious gap in training and ability, which, if allowed to continue, will be filled by others."

He means, of course, foreigners in his own musicals.

Vocational dance and drama training in the United Kingdom takes place at independent institutions that receive no funds from central Government. As a result, they must charge full economic fees for the courses they offer—typically, some £7,500 a year for dance, with maintenance costs on top of that.

With no central funding, and now no eligibility for mandatory awards, students must rely on discretionary awards from their local education authorities; but increasing numbers of LEAs are saying that they cannot afford to fund students. Some feel that they can use such large sums better by sharing them among more students, while others have a philosophical dislike of private education, which is how they wrongly view the independent stage schools. Others—such as Hereford and Worcester county council in my constituency—have given up discretionary grants altogether. The total cost of dance and drama training in those institutions is a little over £20 million a year, and only a small proportion of that is now being met by the LEAs.

There have been two recent surveys, one of which received rather more publicity than the other. I had conducted my own survey before I realised that the Gulbenkian Foundation, along with a number of other charities and trusts, had commissioned one. I am glad to say that the two surveys produced broadly the same outcome. The Gulbenkian Foundation survey, published on 4 June, said:

"The situation is at least as bad as had been feared. Twenty-eight per cent. of all LEAs have a declared policy of giving no support to students of dance and drama."

Mr. Jacques Arnold (Gravesham): Is not a particularly tragic example that of Kent county council, which scrapped discretionary grants when Labour and the Liberal Democrats took control? A young girl living close to my constituency—a very talented dancer—was turned down for such a grant. What is particularly wicked is that, if and when parents appeal, the appeal is conceded, but the parents do not know that in advance. Parents who do not appeal have therefore lost the opportunity. Moreover, the Lib-Lab county council will not tell Members of Parliament about constituents whose applications have been refused, and whom we could inform of the possibilities of success at appeal.

Mr. Luff: My hon. Friend points the finger in the right direction. I intend to return to that subject later.

The Gulbenkian Foundation continued:

"Between 1994-5 and 1995-6, the two years covered by this study, the number of students receiving such awards fell by 12 per cent. Of those LEAs which did make awards in this field, less than half met the full cost of college fees and of maintenance at the standard (i.e. mandatory award) level. There is evidence that potential students are being discouraged from applying for support both because they perceive that they have little chance of success, and because of their concern that if they are successful they themselves will have to bear the cost of a substantial part of their fees."

Some believe that we can turn the clock back and encourage local education authorities such as that of my hon. Friend the Member for Gravesham (Mr. Arnold) to start making awards again, and increase the number of awards. I think that those hopes are ill founded.

Mrs. Jacqui Lait (Hastings and Rye): I apologise for arriving a few seconds late. My hon. Friend has made some very good points, with which I entirely agree. Can he confirm the experience of students in my constituency, that even the charities that have been able to help out in the past are now running out of money?

Mr. Luff: My hon. Friend is right. I am glad to say that organisations such as the Foundation for Sport and the Arts are making awards, but they cannot be expected to make good the total shortfall.

Vocational performing arts training is pretty well the only first qualification for which Government funds are now not available. Music and visual arts students receive mandatory awards, as do academic dance and drama students who go on to teach, and students of Anglo-Saxon and sociology. For my party, which believes in equality of opportunity, the issue cries out to be addressed. The human results are very worrying.

There is, for instance, the misery of those who cannot fulfil their talents. I find interviews on the subject in my constituency heartbreaking. It is almost impossible to look at the girls involved—the students in my constituency tend to be girls, because it contains a fine dance school, the Harlequin stage school in Worcester, run by the principal, Paula Dymock. That school has an extraordinary ability to bring on the inherent talents of girls, but we know that, because they live in Hereford and Worcester, they will not be able to go on to the colleges that they wish to attend in order to develop their talents. I cannot accept that such talents should be discarded.

There is another problem. Some LEAs make partial funding available to students, but that too is a kind of trap, although it is better than nothing. Students try to make up the financial shortfall by working part time while they are on their courses, which means that they cannot deal with the physical requirements of those demanding courses, especially dance courses. There is abundant evidence of increased injuries to dance students through lapses in concentration and simple physical and psychological pressure. As a result, students withdraw from courses injured and in debt.

Whom do I blame? I firmly blame the Labour and Liberal parties which, sadly, are in power at LEA level. They are turning their backs on the problem. They, not the Government, are to blame. The local authority for the Minister's constituency finds the money to spend—not surprising, because its budget increases in real terms each and every year. However, it will not find even modest sums for the most talented dance and drama students who want to go to college.

Labour postures, but has nothing to offer. Labour floated an inadequate solution in 1994, but it seems to have sunk without trace. That party's document, "Lifelong Learning", which was published last month, alludes to the problem tangentially. Its introduction states:

"whole categories of students have no mandatory entitlements".

I searched in vain for any explanation of how that would be overcome. Even the inadequate solution that Labour was canvassing of a small number of accredited schools, not courses—many of which are already in the higher education sector—seems to have been dropped. No doubt Labour's shadow Arts Minister is afraid of the shadow Chancellor. So much for new Labour's commitment to the arts.

We must first make sure that schools and courses are up to the mark, then provide direct public funding as for any other career or qualification. There must be accreditation, to make sure that schools deserve the public money that I want them to receive. Drama schools were the first to be accredited, followed by the Council for Dance Education and Training—whose procedures are exceptionally stringent and effective.

The drama sector admits that dance education is in the lead in that respect. The National Council for Drama Education plans to catch up, using new accreditation procedures. The CDET accredits courses, not institutions, and aims at raising standards throughout the country. Its system was devised after extensive consultation with Ofsted and experts. Visits are made by trained inspectors, including former members of Her Majesty's inspectorate of schools.

That serious exercise began a year ago, and seems likely to result in a significant reduction in the number of accredited dance courses, which will in turn lower the number of students eligible for discretionary awards by two thirds. Dance schools have gone through a tough process, and deserve credit for their approach. My hon. Friend the Minister can be confident that the courses remaining will deserve the taxpayers' money. The accreditation procedures in place or being developed will have to be approved by the Department with a rubber stamp, but we do not need the new bureaucracy proposed by Labour.

Public funding would end the system whereby LEAs make discretionary awards. They do not want that discretion, but are anxious to surrender it. Some voices in the Government say that we must not deny any discretion to LEAs or local authorities. In fact, that discretion creates more problems than it is worth.

It is easier for the Government to solve the problem in drama training, because students are typically post-A-level, and it is effectively a higher education sector. Drama students could go straight for mandatory grants, with the schools funded centrally. Dance education is more complicated, because its pupils normally begin intensive vocational courses at a much earlier age, to develop muscle memory and so on, before taking their A-levels.

The Government could adopt a range of possible solutions—I am not concerned which, provided that the outcome will be mandatory awards for dance students. The Government could expand the music and ballet scheme, make direct grants, develop a permanent role for the Arts Council or—my personal preference—establish an independent funding council for dance education. When my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) was Prime Minister, he made music students eligible for mandatory awards. I hope that the present Government will do the same for other students.

The Government are already doing a lot that is right. I welcome the expansion of the music and ballet scheme. Yesterday, my right hon. Friend the Secretary of State for Education and Employment announced an extension of the specialist schools programme to sport and the arts, including the performing arts. I am delighted that my right hon. Friend the Secretary of State for National Heritage has said that lottery money can be used to develop young talent. However, the fundamental injustice remains. I want the Government to develop a sticking plaster solution—a short-term remedy—while they work out the longer-term answer.

I do not believe that the Arts Council represents the long-term solution. Given the huge contribution to our lives that the performing arts make, they should be treated like any other academic or vocational qualification and be funded by the same sort of institutions—although, in the short term, the Arts Council must be involved.

On 1 April, my right hon. Friend the Secretary of State for National Heritage issued new guidance on lottery funds that instructs the Arts Council to take into account

[Mr. Luff]

the desirability of developing talents, skills and creative abilities—particularly among young people—while having regard, rightly, to the importance of not entering into long-term commitments or creating long-term expectations that might limit the money available for distribution in future. The mechanism exists for a stop-gap solution while my hon. Friend the Minister and his officials develop a longer-term answer.

The Arts Council for England has established a small group led by Clive Priestley to analyse the current situation. It will report next month to the Government and its recommendations will be passed to Sir Ron Dearing. I am pinning my hopes on Sir Ron's higher education review, which is due in the middle of 1997. I hope that the Minister can confirm that dance, with its relatively young entry age, and drama could fall within Sir Ron's terms of reference. The report will not be implemented immediately for a year or two after publication, so for three years, dance and drama students will be in jeopardy. There is a risk of throwing away a whole generation of talent and of destroying the skills base of schools.

My hon. Friend the Minister has a deep sense of justice and fair play, and I am sure that he will demonstrate those qualities in his reply. I hope that he will offer a short-term solution and guarantee that the longer-term remedy will lie in Sir Ron Dearing's remit. Who knows how many superstars of the future will be lost if we do not act? Who knows how many we have already lost? The chances are that many have been lost, and we must not lose any more. We must not let down the Darcy Bussells, Sarah Brightmans and Sir Anthony Hopkinses of the future.

12.45 pm

The Minister of State, Department for Education and Employment (Mr. Eric Forth): My hon. Friend the Member for Worcester (Mr. Luff) painted a gloomy picture of the situation facing students who are seeking discretionary awards in dance and drama from local education authorities. He mentioned the research by the National Foundation for Educational Research, which underlies much of his analysis, and the efforts of the Gulbenkian Foundation to get at the facts.

I have no doubt that the findings of those two bodies and of my hon. Friend, which are based on a survey of LEAs, are broadly accurate. They reflect points made to the Department about LEA policies for some time, including those of my hon. Friends the Members for Gravesham (Mr. Arnold) and for Hastings and Rye (Mrs. Lait). There has been a significant decline in the number and level of LEA discretionary awards in the past two years, and it is clear that dance and drama students have been particularly affected.

I take issue with my hon. Friend's suggestion that dance and drama students are uniquely disadvantaged. I am aware from representations by other hon. Friends and interested parties that osteopaths, chiropractors, horticulturists and certain private agriculturists feel similarly disadvantaged, which proves that it would not necessarily be inexpensive to correct the problems identified by my hon. Friend.

Mr. Denzil Davies (Llanelli): One of my constituents will, after much competition, be attending a London drama school. He does not want to enter one of the universities offering drama courses, because they are theoretical, and he wants to be an actor. Is not the problem that a mandatory grant would be available for theoretical university drama courses but not for the alternative?

Mr. Forth: The right hon. Gentleman makes a clear point that goes to the heart of the debate—that everybody has to make a judgment as to the relative value to society and the individual of different kinds of vocational and other education and training, and the priorities that we award them. That consideration underpins my hon. Friend's case.

I am aware of the views of students, teachers and others directly involved, and acknowledge the level of anxiety that has been expressed.

Interestingly, in discretionary awards—which are so key to what we are considering—as a whole, the numbers rose between 1990-91 and 1993-94. Indeed, the number of awards even in 1994-95, when the sharp decline had started, was still some 66 per cent. higher than the number of further education awards a decade earlier. Spending on further education discretionary awards was almost 60 per cent. higher in real terms than it was a decade before. Again, that shows that we are talking about the ordering of priorities within an overall amount of expenditure, those priorities being determined largely by LEAs. Therefore, the position overall can conceal a much worse situation in individual subject areas. That is what we are talking about today.

It is important—and it is another legitimate area of judgment and debate—that we acknowledge, as my hon. Friend did, that we are talking about discretionary awards, which are at the discretion of local and accountable LEAs. They have to consider applications on their merits, across the whole range of subject matters. The number and level of grants is a matter for those elected LEAs, taking account of their financial situation and their views on and judgment about local priorities.

That is the way the system works. Unless and until there is a significant policy decision by this or any other Government to alter that, that is the context within which we must all operate. LEAs must listen to local views. It is up to everyone concerned—not least my hon. Friends in the Chamber today, individual students, their families and others—to influence LEAs to alter their judgments and priorities if people believe that there is something wrong with them. That is the way to do it.

However, in doing that, a number of questions arise. We must acknowledge that all public bodies, central and local government are operating with tight resources, which means that the focus and the priorities must be ever sharper. It involves ever more difficult decisions being made.

Those who seek additional money, as my hon. Friend has done openly today, ultimately have to say how they would alter the priorities to find that additional money. They also need to show that the number of places available currently, or if enhanced, is justified. They need to ensure that provision is not fragmented. It is essential that they show that the training is of an acceptable standard. In that respect, I am encouraged by the recent accreditation work of the Council for Dance Education and Training, to which my hon. Friend referred. They always need to show that costs are realistic. That is an

important point, especially as dance and drama courses are expensive. All those points must be addressed; indeed, many are being addressed already.

The difference in emphasis between local authorities highlights my point. There is an enormous disparity between what different LEAs do. They have a voluntary code of practice, which we welcome. However, there is an issue about what some people call black hole provision. We shall continue to reflect further on the implications of that and on what changes may be necessary.

I am aware that, in Scotland, responsibility for discretionary awards has been transferred to individual institutions from local government—something akin to my hon. Friend's suggestion. We are continuing to discuss the matter with our counterparts at the relevant Departments. The truth, as my hon. Friend recognised, is that, under the current system and current legislation, there is no scope for the Government to intervene. We cannot substitute our view for that of the LEAs.

Another suggestion has been to ring-fence funding for discretionary awards. LEAs have to take decisions based on their full understanding of the position and the resources available to them. We should not constrain that freedom, as that would involve a major departure in the relationship between central and local government—and, indeed, the role we envisage for local government. Although many people may be tempted to seek such a change, it is more for the medium or longer term. We should pause before going down that route.

My hon. Friend suggested that mandatory awards should be extended to dance and drama students. That is a solution, but perhaps for the medium term rather than for the immediate or short term. It would involve a change in both principle and practice in the approach taken up till now. It would mean either an increase in overall public expenditure or a reordering of priorities within the existing provision.

That leads us to the point made by my hon. Friend about the committee of inquiry into higher education, and the input that the Arts Council intends to make. It is legitimate to consider whether the very wide terms of reference given to Sir Ron Dearing and his committee could encompass the matter that we are debating today—if only because, as the right hon. Member for Llanelli (Mr. Davies) said, certain elements of the provision are already covered by higher education. Therefore, it is legitimate to ask the committee to consider whether that should be broadened or changed in concept or in delivery.

I do not want to pre-empt any of that. So far, we have taken the view that the current system of mandatory awards and loans is intended and designed for full-time undergraduates. It has, until now, been thought to be unsuited to the wide variety of vocational courses and the needs of their students. All that is legitimate territory for representations to Sir Ron Dearing and his committee. It is a once-in-a-generation opportunity to look at all these questions in the light of the changed circumstances since the Robbins review 30 or more years ago.

I want to say a few words about the music and ballet scheme, to which my hon. Friend referred. It was designed to support school-age children of outstanding potential to train for a career in dance and music. At present, the scheme is limited to the Royal Ballet school and four independent specialist music schools. They were selected to participate in the scheme because they are both pre-eminent in their specialist field, and offer high standards of teaching and learning across a broad and balanced curriculum, including a good range of A-levels.

We are expanding the MBS from September this year, by allocating further aided places to existing schools and by bringing in two new schools—the arts educational school, Tring, Hertfordshire and the Elmhurst ballet school, Camberley, Surrey—both of which will offer ballet places.

The scheme is means-tested. Parental income assessments are identical to the arrangements under the Government's assisted places scheme at independent schools, although the contribution scale is more generous under the MBS, to reflect the fact that it covers boarding costs and the best specialist music and dance tuition available. It is possible that some colleges might be candidates for incorporation as further education institutions, but the criteria are deliberately strict, and I would not wish to raise hopes unnecessarily high.

My hon. Friend mentioned the role of the Arts Council. Lottery proceeds may be a possible solution to some of the problems we are debating. My right hon. Friend the Secretary of State for National Heritage announced on 1 April a new direction on the distribution of lottery proceeds. That requires the Arts Council to take account of the need to develop the skills, talents and creative abilities of young people.

The council has not yet published details about how it intends to implement the direction. I understand that, before the details are finalised, there will be an opportunity to comment. That is another opportunity in the short term to try to influence the way in which things are moving in that area.

Any suggestion that we should require the Arts Council to target lottery proceeds on dance and drama students should be treated with some caution. This House agreed that the distribution of lottery funds should be carried out at arm's length from Government, albeit in a framework set by Ministers from time to time. The House also decided that the decisions on allocating funds should be taken by the distributing bodies.

These matters are rightly for the Arts Council. However, as my hon. Friend mentioned, it has been decided to establish a group chaired by Mr. Clive Priestley to look into the problems of dance and drama students. I understand that the remit of that group includes the possibility of using lottery money for that and related purposes. That is another avenue of approach open to those who share my hon. Friend's anxieties through which they can try to influence the course of events.

I need no convincing that those involved with dance and drama consider that there is a need for more expenditure, as my hon. Friend has laid out, and I have no doubt about the genuineness of their enthusiasm and anxieties. As I have said, aspects of the student support system need to be looked at, and the higher education inquiry is the vehicle to enable that.

At this stage, on the evidence provided—even in this debate—I am reluctant to contemplate the kind of increases in public expenditure that my hon. Friend suggested. We shall, however, keep an open mind, and continue to monitor the position. Opportunities to press

[Mr. Forth]

the case are available, and I hope that my hon. Friend and many others who I know share his view will take every one possible to—

Madam Deputy Speaker (Dame Janet Fookes): Order.

1 pm

Sitting suspended.

Osteoporosis

On resuming—

1.30 pm

Mrs. Teresa Gorman (Billericay): I am pleased to have this opportunity, 10 years after the launch of the National Osteoporosis Society and two days after the first World Osteoporosis Day, to tell the House about brittle bone disease, or osteoporosis, and how it relates to our lives.

It is an old disease in two senses. Fossil skeletons show that Cro-Magnon woman suffered from it—if she survived being dragged off by some caveman to bear him umpteen children. Most such women would have been dead by 50, the age after which people become increasingly vulnerable to the disease. We can all look forward, if that is the right expression, not only to a ripe old age but to the risk of the disease.

Today, the average longevity of women is 84; for men, it is 79. It is not surprising that the disease is becoming more and more common. The incidence has almost doubled in the past 30 years. In 1990, according to the World Health Organisation, 1.7 million osteoporotic hip fractures occurred in the western world. If we do nothing about it, the number is predicted to rise to 6.26 million by the year 2050. That is an awful lot of people and an awful lot of pain and cost. Osteoporosis is reckoned to cause around 200,000 fractures in Britain alone each year and it costs the national health service around £750 million to care for those people.

Fairy tales are full of stories that feature old crones—women shrunken, bent double and hobbling along with a stick, or long in the tooth as we say. Those problems are all due to osteoporosis. The tooth problem is caused by shrinkage of the jaw. Today, we hide people in that condition in old people's homes and give them zimmer frames. It was in such homes that I first became of the aware of the extent of this crippling disease. Osteoporosis can affect all parts of the skeleton. We shrink as we get older. Two or 3 in is common, but 10 or 15 in is not unknown. Such cases involve great curvature of the spine, the head sinks into the chest, pressure is caused on the lungs, and the people afflicted often die from lung disease before the bone disease gets them.

If the crones were young today, the National Osteoporosis Society would be there to tell them how to prevent distorted frames and save them from their suffering. It does a wonderful job with the money that it raises and it deserves as much as the Government can give it. Apart from anything else, it would be a terrific investment. About a third of our hospital beds are occupied by people being treated for osteoporotic fractures. Some never get out of their beds; they are crippled for life. We must thank the society and its campaigning for the fact that women, in particular, are much more aware of the risks that they run. However, it is still difficult to get women to do something about the problem sufficiently early. Not for nothing is it called the silent disease; it creeps up on people over the years. By the age of 60 to 70, people are at severe risk of fractures; by 70 to 80, there is a one in three chance of something serious happening to the skeleton.

At first glance, bones look solid, but that is far from being the case. When they are young, they are hollow and the material of which they are made is full of tiny holes.

As we grow older, the holes get bigger, like in a piece Swiss cheese, and the bones become fragile. One can suddenly suffer a broken bone from a fit of coughing, lifting a grandchild or using a vacuum cleaner. One does not have to fall over to sustain a fracture in one's 60s or 70s. When such people fall over, they have a big chance of breaking their ankles, wrists or pelvic girdles. Such fractures can be lethal; 15 per cent. of women who fracture their pelvic girdles—which are not to be confused with hip joints—die of the condition, even though they are operated on. Patching up that part of the body is difficult, because the bones are naturally thin. There is a good chance that people who survive will need zimmer frames for the rest of their lives. The quality of life is greatly reduced.

In the past, women over 50 were considered to be over the hill or on the shelf, partly because of the decline in their health. There are many things that such women can do with their talents, but good health is essential. The early treatment of osteoporosis can go a long way towards improving the chances for older women to continue to make an important contribution to our society.

The good news is that osteoporosis is preventable and treatable. A healthy diet with lots of calcium, which means butter, cheese and milk, gives bones strength. Vitamins are important, especially vitamin D3, which is obtained from dairy products and sunlight. Exercise is important; during exercise, the muscles pull on the bones, which strengthens them. However, the most important ingredient in preventing bone loss in women is the replacement of the natural hormones, which begin to decline as women grow older.

It is a well-known medical fact that, if hormone replacement therapy is taken by women of 50 and over for 10 years after the menopause, the risk of brittle bones is very much reduced. A study of 6,000 women in Hull between the ages of 50 and 54 showed that 37 per cent. of them were already experiencing bone loss. Most of them went on to hormone replacement therapy, and the bone loss stopped. Not all women want to take hormone replacement and the pharmaceutical industry is developing non-hormonal treatments to counter the disease.

Baroness Cumberlege, the Under-Secretary of State for Health, has taken much interest in the subject. She is actively encouraging health authorities to provide a comprehensive service for osteoporosis sufferers. So far, 12 per cent. of health authorities have responded. The number is growing, but clearly we want to encourage them to do more. More hospitals have scanning facilities for measuring bone loss, although it is, of course, much better for people to take precautions when they are younger and not wait for the loss to begin.

Fewer than 10 per cent. of the sufferers of osteoporosis receive adequate treatment, but if a woman's mother or other women in her close family display some of the crippling problems of old age, she should think seriously about requesting a bone scan. The more people ask for that, the more chance that facilities will be made available in Britain for women and, I might say, for men.

Above all, professional and public education is needed. It would be, as I have said, a tremendous investment. We would be saving hundreds, possibly thousands, of millions of pounds in the future each year, because more and more people would avoid this crippling disease which, in the past, has been taken for granted as part of the problems of old age.

For myself, I certainly take this treatment. I am told that I have the skeleton of a 15-year-old and that my jaws and teeth are in equally good condition. Sometimes we forget that teeth are part of the skeleton and the fact that old people lose their teeth has as much to do with bone loss as it has to do with the condition of their teeth.

I have talked a lot about osteoporosis as it affects women. It is true that most of the sufferers are women. On average, one in three women are likely to suffer a fracture as they get older. But, of course, men can suffer too. One in 12 experience bone loss during their lifetime, although the onset usually occurs much later.

My observation is that medical problems receive much more attention when they are considered to affect men. That is certainly true for heart disease. Therefore, I have decided to ask the hon. Member for Woolwich (Mr. Austin-Walker), who also takes a great deal of interest in the subject, to put the case for his own sex, because then I know that our health authorities, many members of which are men, will take the problem much more seriously, and the problems of osteoporosis will become a top priority in the treatment for what is an avoidable disease.

1.41 pm

Mr. John Austin-Walker (Woolwich): I only hope that my voice will last long enough to allow me to make my points.

First, I thank the hon. Member for Billericay (Mrs. Gorman) for giving me the opportunity to participate in the debate and for having requested it. I fully endorse all her remarks about the work done by the National Osteoporosis Society. I draw the Minister's attention to early-day motion 1037 in my name which was tabled on Monday to coincide with World Osteoporosis Day and which I understand has now been signed by more than 200 hon. Members on both sides of the House.

The hon. Lady is correct to say that osteoporosis is a devastating illness for women. She is right to point out that it is not exclusively a women's disease. She has said that one in 12 men can expect to experience a fracture as a result of osteoporosis at some time during their life. Recent research has suggested that the figure may be as high as one in eight. What is worrying is that the figure is increasing. Therefore, we must address the early identification and treatment of the disease.

The hon. Lady has mentioned that about 200,000 fractures a year are caused by osteoporosis. The National Osteoporosis Society estimates that there may well be 40 premature deaths every day as a result of this crippling disease; but, as the hon. Lady has said, it causes misery not only for those affected by this disabling disease but for their families and loved ones.

The main thing that we have to say is that prevention is possible and early diagnosis can lead to effective treatment. The hon. Lady has referred to hormone replacement therapy. She is affectionately known as the queen of HRT. My secretary has asked it to be known that, if the hon. Lady is the queen, she claims the role of princess. But it is clear that HRT has been shown to reduce the risk of osteoporosis in menopausal and post-menopausal women. However, there is a need for a wide public education programme about other ways in which the disease can be reduced in both men and women.

[Mr. John Austin–Walker]

First, smokers are more at risk of osteoporosis than non-smokers. As the hon. Lady has said, diet is also an important factor. Exercise has certainly been shown to be effective in building up bone density. Some drugs can be effective in treating osteoporosis, but much more research needs to be carried out into prevention through non-hormonal drug programmes. Further research, monitoring and prevention will ensure that future generations of men and women, but more particularly women, can lead full lives unhindered by the pain and disability of osteoporosis.

The hon. Lady and I ask the Government to give a higher profile and priority to osteoporosis. As the hon. Lady has said, one third of orthopaedic beds in the NHS are occupied by patients with osteoporosis, and the estimated cost to the NHS of fractures caused by osteoporosis is around £750 million a year. But that is only part of the cost. One in five people sustaining a hip fracture die within six months, and more than half cannot walk independently afterwards, many becoming highly dependent. There are then the unseen costs of care in the community and the on-going costs of drugs, physiotherapy, occupational therapy and other support services provided by the NHS and local authorities. There is also the cost to an individual in terms of the quality of life and the quality of a carer's life. The chronic pain, the disability and the possible deformity which were outlined earlier cannot be overestimated.

Diagnostic tools should be more widely available. The facilities in the United Kingdom for measuring bone density are scarce, although I recognise that they are increasing. But in my view and that of the National Osteoporosis Society, every health authority should have a designated lead clinician with a special interest who can update other professionals on the prevention and effective management of osteoporosis.

The primary and the secondary services must work together to provide a seamless service, and funding for osteoporosis needs to be positively and definitely included in local contracts. Action is needed at local level. A local health commission could set up an effective osteoporosis service for about £50,000, which is less than the cost of treating two weeks' hip fractures. There needs to be action by Government. Osteoporosis should be given key area status in the Government's "The Health of the Nation" programme.

The Minister will know that Baroness Gardner and I jointly chair the all-party osteoporosis group. Informally, we have had a sympathetic and encouraging response from Baroness Cumberlege, his ministerial colleague in the other place. I hope that we shall have a formal and positive response from the Minister today, and a commitment to recognise osteoporosis in "The Health of the Nation" targets.

1.48 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I am grateful to my hon. Friend the Member for Billericay (Mrs. Gorman) for initiating a debate on osteoporosis in the middle of National Osteoporosis Week. She said during her speech that her jaws and teeth were in good condition; I can assure her that the House and, in particular, the Government have never had any doubt about that. I believe that this is the second such week—the first World Osteoporosis Day was on Monday—the main initiative for which came from the National Osteoporosis Society.

I should also like to take this opportunity to pay tribute to the society and its achievements during the past 10 years in giving osteoporosis sufferers everywhere a voice. The NOS has also organised this week the fifth annual conference on osteoporosis and bone mineral measurement, in Bath, bringing together the leading experts in the field.

As my hon. Friend said, the debate can only help to raise the profile of a condition which has been described as the silent epidemic. Osteoporosis is undoubtedly a major public health problem. It has been estimated to affect as many as one woman in four in the United Kingdom. Each year in this country, there are about 60,000 hip, 50,000 wrist and 40,000 vertebral fractures which are due to osteoporosis. Most of these occur in older women, but about 20 per cent. of the hip fractures occur in men. I noted the comments about that by the hon. Member for Woolwich (Mr. Austin–Walker), the chairman of the all-party group. Almost half of all women will have experienced a fracture by the time they reach the age of 70.

In March 1993, my colleague Julia Cumberlege—I acknowledge the tributes paid to her work—decided to look at what we were doing in the whole field of women's health, for which she has particular ministerial responsibility, and to examine the outstanding issues. She concluded that, at that time, osteoporosis was the single most important women's health issue yet to be addressed by the Department: it had not been given the attention that it deserved. She resolved to put this right by setting up the advisory group on osteoporosis, or AGO.

The group's remit was

"to establish what information about osteoporosis is available, what research is being conducted and what further work needs to be done, and to report to Ministers".

AGO submitted its report in November 1994 and, having accepted its recommendations, Julia Cumberlege published it in January 1995. The AGO report was widely distributed both within and outside the NHS, and we have reprinted it three times since then—a pointer to its popularity among health professionals and the public.

Since publication of the AGO report, progress has been made on a number of fronts in developing osteoporosis services. Two of the report's recommendations were directed at the NHS. Julia Cumberlege wrote to the chairmen of all NHS bodies about these on the day before the report was published, and has subsequently discussed them with regional chairmen.

The first of AGO's recommendations specifically for the NHS was that health authorities should facilitate improved co-ordination and communication between the various groups of professionals and specialists—general practitioners, nurses, gynaecologists, rheumatologists, radiologists, orthopaedic surgeons and others—involved with different aspects of osteoporosis. That may sound like a statement of the obvious, but we have made it clear to NHS chairmen that we think that it is worth taking a bit further—looking at whether having a lead clinician for osteoporosis in each locality would be cost-effective and desirable. Osteoporosis should be tackled with a "shared care" approach among all sectors of the NHS.

The advisory group's second recommendation for the NHS was that bone densitometry should be made available to assist clinical decision making with certain groups of patients identified as being at high risk.

The National Osteoporosis Society, the leading voluntary body, published in January the results of a survey it had carried out among health authorities of the services provided around the country for people with osteoporosis. My hon. Friend referred to this work. It is fair to say that the results of that survey clearly highlight the fact that the NHS has a lot of work to do before the recommendations of the advisory group can be considered to be successfully met. It is clear that some health authorities have a great deal of work to do in improving local osteoporosis services. I note the percentage of them that my hon. Friend mentioned. That said, it would be unrealistic to expect services to improve radically overnight, but there are many points that need to be improved on.

A number of the recommendations of the advisory group on osteoporosis were directed at the centre, and a great deal of work towards implementing the recommendations has already been done. For example, a group led by the Royal College of Physicians is working on clinical guidelines for osteoporosis. I also understand that the Clinical Standards Advisory Group will take the AGO report into account in its own report on community health care for elderly people, which is expected to be submitted to the Department later this year. Osteoporosis is now also specifically referred to in "The Health of the Nation" fact sheet on accidents.

There has been much debate about the role of bone density scans. In such debates, the findings of the "Effective Health Care Bulletin on Screening for Osteoporosis", produced by the York centre for reviews and dissemination, are often cited in defence of decisions not to increase the availability of bone scans, as recommended in the AGO report.

The "Effective Health Care Bulletin" considers the evidence for establishing a population screening programme for osteoporosis and concludes that, on current evidence, it would not be advisable to do so. The AGO report reaches the same conclusion. However, the latter goes on to say that, once someone at high risk of developing osteoporosis has been identified—usually by the GP asking a few key questions in the surgery—there is an important role for bone density measurements to confirm the diagnosis where the patient is reluctant to agree to treatment and to monitor the treatment to encourage the patient to continue with it.

This use of bone density measurement is not considered by the "Effective Health Care Bulletin"—which is why the AGO report recommended that it should be reviewed. AGO rightly concluded that the bulletin as it stands has misled health care purchasers into believing that there was no role for bone density measurement in local service provision. The NHS executive is in discussion with the York centre about updating this and other bulletins in the context of a new contract for further clinical effectiveness work.

Of course, bone density scans are not the solution to osteoporosis; but I believe that their availability, in the circumstances set out in the advisory group's report, is an important element in a good local osteoporosis service.

The Department of Health has considered the contribution that nutrition can make to maintaining bone health on several occasions. In 1991, the Government published updated dietary reference values for assessing the adequacy of dietary intakes of nutrients. The nutrients generally regarded to be most important in bone health are calcium and vitamin D, but many other nutrients have been implicated, including copper, fluoride, phosphorous, vitamin C and protein. In addition, the risk of fracture in old age is related to body composition—for once it seems to help to be a little bit plump. I make no reference to my hon. Friend the Member for Billericay in this context, of course.

I also noted with great interest what my hon. Friend said about HRT, and I know of her other concerns in that area. Much of what she said about it made great sense.

The report of the advisory group on osteoporosis also recommended better public and professional awareness of the condition. It also made recommendations in respect of the nursing professions; indeed, a key quotation from the section on the role of nurses said:

"with appropriate preparation this group is in a prime position to make a significant contribution to any programme for the prevention, early diagnosis and treatment of osteoporosis".

Nurses can do this only if they have a full understanding of the disease and its implications. Therefore, the next logical step was to build on the existing literature by producing a comprehensive and detailed resource pack for nurses.

I am therefore delighted that, on Monday, at the fifth annual conference on osteoporosis and bone mineral measurement in Bath, Julia Cumberlege launched just such a resource pack on osteoporosis for nurses, midwives and health visitors. I have one with me; it is an excellent document, hot off the presses, and I can recommend it to nurses and to hon. Members. The resource pack was produced jointly by the Royal College of Nursing and the National Osteoporosis Society, and my Department gave a grant of £5,000 towards its production costs.

The resource pack takes the form of short fact sheets in an easy-to-use folder. The simplicity of its production belies the depth of the information which it contains. The subject matter is fully covered and I am sure that it will be an invaluable aid to the expansion of the nurse's role in this field. The pack is available, free of charge, to any nurse, midwife or health visitor and can be obtained from the NOS.

I hope that I have revealed the importance that the Department of Health attaches to osteoporosis, which is also reflected in the financial support which we give to charities in this field—not only to the National Osteoporosis Society but to Women's Health Concern and the Amarant Trust, of which my hon. Friend was a founder. We shall continue to work with them and with other interested parties, with the NHS and health service professionals, to increase awareness of osteoporosis and to improve its treatment.

It being two minutes to Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

School Admissions

1. **Mr. Rendel:** To ask the Secretary of State for Education and Employment what plans she has to issue guidance to grant-maintained schools on the question of admission of children permanently excluded from their previous school. [33195]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): The Secretary of State has no plans to issue such guidance. However, she has stressed in a White Paper entitled "Self-Government for Schools" and in a new circular on school admissions that grant-maintained schools should have the maximum flexibility to shape their admission arrangements to reflect the wishes of local people.

Mr. Rendel: Does the Minister accept the figures for Berkshire—which I sent to the Secretary of State at the beginning of June—which show that pupils excluded from local education authority schools are not being taken on by grant-maintained schools, but that pupils excluded from grant-maintained schools are being taken on by local education authority schools? Does the Minister accept that, whatever the Government might say about having a level playing field between different types of schools, in practice their policy is that all schools are equal but some are more equal than others?

Mr. Squire: While I have no reason to dispute the figures that the hon. Gentleman has submitted, I dispute the conclusions that he draws from them. Instead of the conspiratorial thesis that the hon. Gentleman puts forward—which reflects the anti-grant-maintained view of the hon. Gentleman and his party—a more prosaic reason is that virtually all grant-maintained schools are over-subscribed and full, and it is logical that more LEA schools accept exclusions than GM schools. As the hon. Gentleman is aware, there is power within legislation for an LEA to direct a GM school in specific circumstances to accept a pupil who has no other place.

Mr. Rowe: My hon. Friend is right to be concerned about children who have been excluded from schools that they might otherwise wish to attend. I refer to children who are kept in schools, under the force of law, but who are getting absolutely nothing out of their education. Would my hon. Friend consider the possibility that such children might be able to take the money that the local education authority is wasting on their education and spend it somewhere else?

Mr. Squire: My hon. Friend makes an interesting suggestion. As he knows, since April the Government have been consulting on the way in which 14 to 16-year-olds are educated and the other opportunities that are being developed. Schools should be able to find the correct way to educate children, whatever their particular talents. I am happy to look at my hon. Friend's suggestion.

Schools (Security Cameras)

2. **Mr. Michael Brown:** To ask the Secretary of State for Education and Employment what contribution is planned from public funds to assist schools in the provision of security cameras. [33197]

Mr. Robin Squire: Last week we announced extra funding for security cameras in 112 schools in England under the Home Office closed circuit television challenge scheme. The Department for Education and Employment contributed £2 million to the scheme. The Government also accept in full the recommendations of the working group on school security, including the provision of new money. That will support a further range of measures in schools, including security cameras where appropriate.

Mr. Brown: I welcome the announcement that the Secretary of State made yesterday to make a larger proportion of budgets directly available to schools. Does my hon. Friend think that there is also a case for making the funds that he announced last week directly available to individual schools? For example, schools in constituencies such as mine face problems of vandalism and security, which have to be paid for directly out of the school budget.

Mr. Squire: I am grateful to my hon. Friend for his welcome of last week's announcement. I am sure that all hon. Members welcome it because school security is important. I can confirm to my hon. Friend that all the winning schools in the announcement will receive the money directly, but money for the new security measures, for which we will make provision in the annual grant guidelines, will be paid via local education authorities, not least because they are best placed to judge the relative priorities of conflicting bids in their areas.

Teacher Training

3. **Mrs. Lait:** To ask the Secretary of State for Education and Employment what recent representations she has received regarding the reform of teacher training. [33198]

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): There has been a warm welcome for my recent announcement of my intention to define a national curriculum for teacher training, beginning with the teaching of primary literacy and numeracy.

Mrs. Lait: May I offer my thanks and those of many of my constituents for the announcements that my right hon. Friend has made? Can she assure me that the national curriculum will include the difference between "its" and "it's", "their", "there" and "they're", and the plural and the apostrophe? Can she further assure me that 12-year-olds will be able to give a better definition of a verb than "a doing word" and that they will understand what a preposition is? Can she assure me that teachers will be instructed, whatever their subject, to correct basic mistakes in grammar, always assuming that they know what it is?

Mrs. Shephard: We have introduced a number of reforms to ensure proper teaching of the basics, but an

Office for Standards in Education survey has shown that 46 per cent. of newly qualified teachers feel ill equipped with the practical skills that they need. They and the children deserve better. I shall announce in September the details of a curriculum for teacher training, which will start with the basic literacy skills about which my hon. Friend is rightly so concerned.

Mr. Bryan Davies: How can the country have confidence in Ministers if, after 17 long years, they are only now waking up to the question of how teachers learn to teach?

Mrs. Shephard: Perhaps I can remind the hon. Gentleman of what his party has done in the past 17 years. It has opposed every measure that we have introduced to improve standards, including the establishment of the Teacher Training Agency, so Opposition Members cannot now claim to be interested in high standards or in measures to improve them. If the Opposition are so concerned about higher standards, why do not they start putting matters right in the nine local education authorities that they control out of the 10 with the worst GCSE results?

Mr. Evennett: Does my right hon. Friend agree that teacher training must be effective and relevant when it is taught in the colleges? My hon. Friend the Member for Hastings and Rye (Mrs. Lait) highlighted literacy skills, but does my right hon. Friend agree that it is also important to teach classroom skills, including discipline and how to manage a class? If teachers do not have those skills, they will not be effective however good their training is in their subjects.

Mrs. Shephard: Clearly, every teacher must be trained, through initial teacher training and through in-service training, in whole-class teaching; to use phonics to help early reading; to engage in active instruction rather than passive supervision; and, of course and most importantly, to keep discipline.

Deeside School

4. **Mr. Miller:** To ask the Secretary of State for Education and Employment what plans she has to make provision for severely disabled children following the closure of Deeside school. [33199]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): In considering Cheshire's proposal to close Deeside school, one of the factors that my right hon. Friend took into account was the availability of places at suitable alternative schools.

Mr. Miller: Does the Minister agree that a civilised society is one that looks after those in greatest need? As he was a party to the barmy decision to close Deeside school, will he now condemn Cheshire county council, which is continuing to break the law by failing to provide full and up-to-date statements for children from that school?

Mr. Paice: If the hon. Gentleman believes that any local education authority is breaking the law, he should draw his allegations properly to the attention of my right hon. Friend. There are a whole range of reasons why Cheshire LEA proposed the school's closure and my right hon. Friend took them all into account—not least the fact that the cost per pupil place at the school is almost double the cost per pupil place at the average special needs school in the same LEA area.

Standard Assessment Tasks

5. **Mr. Simon Hughes:** To ask the Secretary of State for Education and Employment what representations she has received on her policy of requiring key stage 2 SAT results to be submitted to her for publication; and if she will make a statement. [33200]

Mrs. Gillian Shephard: The key stage 2 tests have been a great success this year. The overwhelming majority of schools have taken the tests and sent them for marking.

Mr. Hughes: What would the Secretary of State say to the governors, the head and the teachers of the Church of England primary school in Bermondsey, where I am the chair of governors, who met last week to consider the extremely good inspector's report that has been produced on the school, which has now been publicised, and who decided—I vacated the chair so I did not influence the decision—that sending SAT results for publication is a completely irresponsible and inaccurate method of comparing schools' performances? Will the Secretary of State consider the school's request that it not be obliged to provide that information and that it rest its case on the basis of the Office for Standards in Education report, which says it is a perfectly good school that has obtained good results in all subjects?

Mrs. Shephard: I congratulate the hon. Gentleman on the quality of the Ofsted report on the school where he is the chairman of governors. However, I regret the decision by any governing body to break the law and to withhold from parents and the wider community information about a school's performance to which they are entitled. I hope that the hon. Gentleman will exercise his influence in a benign way in that regard.

Performance tables contain hard facts. Obviously, value added is also important and the hon. Gentleman will know that we have asked the School Curriculum and Assessment Authority to take forward work in that area.

Mr. Thomason: Can my right hon. Friend confirm that the publication of the figures has proved extremely popular with parents? Is it not surprising that Opposition Members should seek to ensure that that information is not freely available?

Mrs. Shephard: I do find that surprising. I think that parents greatly value information about schools and their performance at both primary and secondary levels. It seems curious that any hon. Member would wish to deny them that information.

UNESCO

6. **Mr. Mark Robinson:** To ask the Secretary of State for Education and Employment what consultations she has had with regard to co-operation with UNESCO. [33201]

The Minister of State, Department for Education and Employment (Mr. Eric Forth): None.

Mr. Robinson: Can my hon. Friend confirm that Britain is making full use of its liaison arrangements with UNESCO? What steps has his Department taken to evaluate the educational benefits of rejoining?

Mr. Forth: Yes, but I find it difficult to imagine circumstances in which we could identify a value added, in educational terms, in rejoining the present form of UNESCO—particularly in comparison with the undoubted value of our membership of bodies such as the Organisation for Economic Co-operation and Development.

Mr. Dalyell: What is the particular form of UNESCO to which the Government object? Is it not humiliating that a party which included among its members David Eccles and Edward Boyle—who, as Education Secretaries, were great supporters of UNESCO—continues to adopt a stand-off attitude that brings shame to our country?

Mr. Forth: No. Madam Speaker, if I were to attempt to list the defects that we still identify in UNESCO, it would try your patience and that of the House. For example, we believe that its work lacks a clear focus, there is a danger of its duplicating the activities of other organisations—not least the OECD—we wish to see further decentralisation from Paris into the field, it needs to reduce staff costs, and we have no evidence that if we were to inject £11 million per year into UNESCO we would get any value for money. I am not impressed by the hon. Gentleman's dropping historical names and I doubt that it will impress the House.

Independent Schools

7. **Mr. Nicholas Winterton:** To ask the Secretary of State for Education and Employment if she will make a statement on independent schools. [33202]

The Parliamentary Under-Secretary of State for Education and Employment (Mrs. Cheryl Gillan): Independent schools are beacons of choice, diversity and excellence. We want them to flourish. Through the expanding assisted places scheme, we are making opportunities at top independent schools more widely available.

Mr. Winterton: Quality and diversity of choice are what parents demand. Is my hon. Friend aware that the cost of a Government-assisted sixth form place in an independent school is, on average, less than the cost of a sixth form place in a state school when one takes into account the capital and administrative costs that are included in independent schools' fees but are not included in the standard spending assessment of local education authorities? Will my hon. Friend give me and the House an assurance that she will continue to promote the assisted places scheme and expand it so that as many children as possible, from as wide a spectrum as possible, are able to take advantage of what independent schools can provide for this country?

Mrs. Gillan: My hon. Friend makes an extremely valid point, and I am extremely happy to confirm to him and the House that we are committed to the assisted places scheme, which currently offers 34,000 children, more than 80 per cent. of whom come from families with incomes below the national average, an excellent education. We have announced a doubling of the scheme over time, and from September 9,700 places will be available in 355 schools. I hope that the thousands of parents of children who currently benefit from the scheme, or who may benefit from it in future, will notice the Opposition's clearly stated policy—one of their few clearly stated policies—to destroy this ladder of opportunity.

Mr. Hanson: Does the Minister accept that many Opposition Members view with some scepticism the Government's continued commitment to the assisted places scheme while local authorities throughout England and Wales have to reduce expenditure on local education provision because of the Government's revenue support grant settlement? Will she say whether independent schools provide a model for the future, that is, selection and fee paying for schools in the public sector that are currently subject to the document that was produced yesterday?

Mrs. Gillan: Independent schools provide choice and diversity for parents who wish to send their children to them. I accept that the Opposition wish to destroy the scheme. I also accept that they do so on the basis of a false premise. In fact, if one tried to educate all the pupils who are currently educated under the assisted places scheme back in the state system—for example, at the cost per pupil of a Hackney Downs education package—it would cost more than the current scheme costs the Government at the moment.

Mr. John Marshall: Does my hon. Friend agree that the assisted places scheme widens choice and enables those schools to have a wider social spread in their pupils? Is she surprised that the opposition to this scheme comes from a party led by an old Fettesian and whose Chief Whip also went to an independent school?

Mrs. Gillan: My hon. Friend again makes an extremely good point. It is just another example of the Labour party saying one thing and doing another.

Mr. Jamieson: As £350 million of taxpayers' money is being spent in independent schools, can the Minister say why Ofsted has stopped inspecting them?

Mrs. Gillan: Independent schools are currently subjected to a very rigorous regime. The Secretary of State has powers over independent schools, and the hon. Gentleman is simply pursuing a vendetta against a scheme that offers thousands of children from families who could not otherwise afford it the opportunity to get a good education in an independent school.

Primary Schools (Staffordshire)

8. **Sir David Knox:** To ask the Secretary of State for Education and Employment how much was spent per pupil at primary schools in Staffordshire in the most recent year for which figures are available; and what was the figure in 1978–79, at constant prices. [33205]

Mrs. Gillan: Unit net institutional expenditure on primary and pre-primary pupils combined in LEA-maintained schools in Staffordshire was, at 1994-95 prices, £1,178 in 1978-79 and £1,565 in 1994-95, the latest year for which figures are available.

Sir David Knox: Although the figures show that there has been a significant increase since the Government came to power, that increase falls short of the increase that has taken place in any number of other local authorities. Will my hon. Friend ensure that, when expenditure for the next financial year is determined, Staffordshire will be given an opportunity to make up the ground that it has lost in recent years?

Mrs. Gillan: My hon. Friend has always been a great champion of Staffordshire's education system. No doubt he is aware that both my right hon. Friend the Secretary of State and I have discussed these matters with representatives from the county; we have had some very helpful meetings. I hope that he will bear it in mind that Staffordshire is set to benefit this year from an above-average increase in its education standard spending assessment—an increase of 5 per cent., or £17.324 million.

Mr. Brian David Jenkins: I thank the hon. Member for Staffordshire, Moorlands (Sir D. Knox) for raising Staffordshire's concern about the SSA. Does the Minister agree with some figures that I have here? [HON. MEMBERS: "Reading."] The Library gave me the figures this morning, and I think that they are fairly accurate. In 1976-77, the SSA for primary schools in Staffordshire was £1,894, and the SSA for secondary schools was £2,520. *[Interruption.]*

Madam Speaker: Order. Let me help the hon. Gentleman, who has not been in the House as long as some hon. Members and should be granted a little tolerance. At Question Time, hon. Members are not allowed to read or quote.

Mr. Skinner: Except Ministers.

Madam Speaker: Except Ministers. It will be difficult if the hon. Gentleman is going to go through a lot of figures, but will he do his best not to quote and just give the figures? We will help him through today.

Mr. Jenkins: Thank you, Madam Speaker. Rather idealistically, I thought that I could put the figures on the record. I wanted to be accurate about the SSA, because accuracy is sometimes forgotten in the House.

If I moved one of the 800-pupil secondary schools in my constituency into a much deprived area such as Hertfordshire, it would receive an extra £168,000 a year. If the school were moved into Tory Westminster, it would receive more than £600,000 a year extra to educate the same 800 students. Can I tell my constituents, and other people in Staffordshire, that the SSA is accurate and based on a standard of educational attainment, and is not a Tory-funded fiddle?

Mrs. Gillan: After that long question, I think that I had better send the hon. Gentleman back to the Library to do a little more research. Staffordshire's SSA is lower because the authority has falling pupil numbers, while numbers are rising nationally. It receives less for additional educational needs, for example, owing to the falling number of families in the county who are on income support. I would expect the hon. Gentleman to welcome that.

Sir Patrick Cormack: Does my hon. Friend accept that, although the Staffordshire Members of Parliament who spoke to the Secretary of State last year greatly appreciate the sympathetic hearing that she gave and the action that followed, we see it as just the beginning of catching up on other areas? Is it not crucial for Staffordshire to have an even better settlement next year?

Mrs. Gillan: I thank my hon. Friend for his kind remarks. As I told my hon. Friend the Member for Staffordshire, Moorlands (Sir D. Knox), we had an extremely good meeting about Staffordshire, and all that is said about its education SSA will be taken into account.

Skills Training

9. **Mr. Robert Ainsworth:** To ask the Secretary of State for Education and Employment what plans she has to improve skills training for small firms. [33206]

Mr. Paice: During the last 18 months both skills for small businesses and the skills challenge have been targeted at small businesses. Two weeks ago, we announced further measures to simplify and improve our small business support.

Mr. Ainsworth: The Minister should be aware that representatives of both the construction and the construction engineering industry have recently been quite scathing about the Government's inability to provide training for small businesses in those sectors. I hope that he will also know that the Select Committee on Trade and Industry recently said that the Government appeared to have no framework for training targeted at small businesses. Is that not disgraceful, given that the Government have lectured us for so long about the importance of small and medium enterprises? When will we hear a little less rhetoric, and see a little action to provide the training that is necessary if small enterprises are to succeed?

Mr. Paice: I find it fascinating that the hon. Gentleman quotes the two industries that still retain statutory training boards, which I thought the Labour party always espoused. The statutory boards for the construction and engineering construction industries are responsible for designing policy. As to the future, I said in my first reply that the Government have helped thousands and thousands of small firms through the skills for small businesses support scheme. The skills challenge that we ran last year also enjoyed massive support, and the benefits will be

immediately available to the thousands of firms that were involved. The same information will be available to help other small businesses. I remind the hon. Gentleman that nearly one half of all the companies in this country that are committed to the Investors in People standard have fewer than 50 employees.

Mr. Ainsworth *indicated dissent.*

Mr. Paice: The hon. Gentleman shakes his head, but those are the facts and he should take them on board. The Government have a proud record of helping small businesses in training.

Mr. Spring: Is my hon. Friend aware of the enormous increase in upgrading skills across the small business community in my constituency, as we know from the Small Business Bureau analysis? The total number of organisations involved in the Investors in People initiative is 22,000, of which nearly half employ fewer than 50 people.

Mr. Paice: My hon. Friend is a champion in the House for small businesses not only in his constituency but throughout the country. He is right to emphasise the importance of the Investors in People standard, which is the most appropriate lever for promoting training in businesses of all sizes. In most cases, the problem is not funding but helping small businesses to make time available and acquire the motivation for training. The usual response from the small business man is, "I am too busy running my business." The Government's policies are aimed at addressing that situation.

Mr. Byers: Can the Minister confirm that more than half the work force are in firms with fewer than 100 employees? Given the significance of that sector of the labour market, will the Minister explain why, under the Government's public expenditure plans, the small business budget is to be cut next year? Given also the real difficulties that small firms have in training employees, why do not the Government adopt Labour's proposals to target financial assistance on small firms, so that they can be part of the skills revolution that the country needs?

Mr. Paice: The majority of people work for businesses with more than 50 employees, which is why our lifetime learning targets—as part of our national education and training targets—are aimed at that size of business and beyond. That is the way to connect with the large number of people working in sizeable businesses and helping the majority of employees. The hon. Gentleman suggests that the Government should copy Labour party policies. If he thinks that we are going to introduce compulsion, which is Labour's policy for small businesses, so that young people will be let off and sent to college—

Mr. Blunkett: Yes, in the case of 16 and 17-year-olds.

Mr. Paice: The hon. Gentleman says yes. Labour would require small firms—not encourage or persuade—under threat, to let young people go to college. That would destroy employment opportunities for tens of thousands, if not hundreds of thousands, of young people.

State Schools

10. **Mr. Pawsey:** To ask the Secretary of State for Education and Employment what actions her Department has taken since 1988 to improve the quality of education in state schools; and what further plans she has for improvement. [33207]

Mrs. Gillian Shephard: The whole thrust of Government policy over the past 16 years has been to raise standards. I have recently announced plans to reform teacher training, improve discipline and promote school self-improvement. Yesterday, we published a White Paper to extend self-government for schools and to increase choice and diversity in our school system, which will also help to raise standards.

Mr. Pawsey: My right hon. Friend's answer outlined the action taken so far by the Government and the action that they will take when they are re-elected in a few months' time. Will she confirm that the White Paper that she announced yesterday will ensure the transfer of more than £1 billion from local education authority administration to the classroom, give parents and schools much greater choice and allow the emergence of additional technical schools?

Mrs. Shephard: I can indeed confirm that the White Paper will extend independence for schools, freedom for grant-maintained schools and choice for parents. An additional £1.3 billion will be delegated to schools, giving them more control over what they do. I confirm that the White Paper proposes a welcome expansion in the very successful programme for specialist schools and colleges.

Mr. Don Foster: Does the Secretary of State agree that accurate methods of measuring performance will have to be in place before the Department for Education and Employment can claim that its measures have led to improvements in education? In that context, does she agree that standard assessment tasks would be an inappropriate measure, given the uncertainty about the definition of the various levels of SATs and the recent changes in the SATs marking system?

Mrs. Shephard: The School Curriculum and Assessment Authority has been redefining levels with schools and teacher associations. It is very important that all such matters are taken seriously—the SCAA is certainly doing so—because test marking must be entirely consistent. That is in hand, there is no problem and the work is continuing.

Mr. Dunn: Will my right hon. Friend confirm that we are now witnessing the final destruction of social engineering in education? Will she further confirm that we are about the elimination of Stalinism in local education? Finally, will she confirm that we are about maximising choice and exposing the hypocrisy of those who say one thing and do another?

Mrs. Shephard: I certainly confirm that we are seeing the end of Stalinism, and very welcome that is, too. I remind my hon. Friend, although he needs no reminding, that the pathetic and backward-looking response of Opposition Members yesterday to our proposals to provide for the

aspirations and ambitions of parents and children—by increasing independence for schools and choice for parents—showed that their ideas are indeed stuck in the time warp so clearly defined by my hon. Friend.

Ms Hodge: Will the Secretary of State confirm that when she was asked about selection procedures in secondary education at a meeting with the National Union of Teachers in Norfolk in 1994—after she had become Secretary of State—she said:

"nothing would change while I'm in charge"?

Yes or no?

Mrs. Shephard: The hon. Lady has been most assiduous in her researches. She might be better advised to get on with what I understand to be her allotted task of preparing Labour's policy on nursery education, which is a long time appearing. I advise her to concentrate on her day job.

Mr. Brazier: My right hon. Friend's recent proposals on discipline, designed to improve the quality of state schools, were especially welcome. Are not her proposed measures to return to teachers the power to discipline unruly pupils, with or without the consent of their parents, absolutely essential and welcome?

Mrs. Shephard: They are indeed essential, and since being elected my hon. Friend has been most assiduous in pursuing that cause. He will therefore welcome our proposals, which we shall enact if parliamentary time allows, to support teachers in the classroom.

Mr. Kilfoyle: Given the Secretary of State's newly found enthusiasm for secondary modern schools in every town, will she tell the House whether the Chancellor of the Exchequer has agreed the estimated £2 billion extra cost of the Prime Minister's pipe dreams, whether she has assessed their impact on surplus places in our schools and why she remains obsessed with structure when the country is crying out for the raising of standards in education? Are not the Government's education proposals about as much use as a chocolate fireguard?

Mrs. Shephard: The hon. Gentleman is never short of a colourful phrase or two. I remind him that if structures increase the independence of schools and increase choice and diversity, they can contribute to the raising of standards.

I made the position on costing absolutely clear yesterday. The hon. Gentleman and his hon. Friends cannot have it both ways. They are either in favour or more independence for schools and more choice for parents, in which case they should support our policies, and in particular yesterday's White Paper, or they are not, in which case they should condemn those members of their Front Bench who not only support our policies, but take advantage of them for their own children.

Schools (Selection)

11. **Mr. French:** To ask the Secretary of State for Education and Employment what representations she has received regarding selection in schools. [33208]

Mrs. Gillan: My right hon. Friend receives frequent representations about all aspects of school admissions and organisation.

Mr. French: Is my hon. Friend aware that Gloucestershire never abandoned selection or grammar schools, despite the most vigorous and determined opposition to them and the absolute determination of the Labour and Liberal Democrat parties to bring about their abolition? Is she further aware that the result has been highly motivated pupils and a very high academic attainment, which applies to pupils who have been selected and those who have not?

Mrs. Gillan: My hon. Friend is absolutely right. Where grammar schools have been retained, the standard of education is high. The Conservative party has clearly laid out its plans in the White Paper. The Conservative party is the party of choice. Of course, the Labour party has always had choice—the choice to support the national curriculum, the choice to support testing, the choice to support inspection and the choice to support the raising of standards, but it has chosen not to support those excellent changes.

Mr. Barnes: Why has the Secretary of State changed her mind about selection since her statement in 1994?

Mrs. Gillan: It is typical of Labour Members to keep harking back to something that occurred 20 years ago—[HON. MEMBERS: "Two years."] Their policies are 20 years old and their thinking on education is from Neanderthal times.

Local Education Authorities

12. **Sir Michael Marshall:** To ask the Secretary of State for Education and Employment if she will list the 10 worst-performing local education authorities on the basis of national examination results. [33209]

Mr. Paice: The 10 local education authority areas with the lowest percentage of 15-year-old pupils achieving five or more A to C grades at GCSE were Islington, Knowsley, Tower Hamlets, Southwark, Manchester, Lambeth, Newham, Hackney, Liverpool and Sandwell.

Sir Michael Marshall: In that sad picture—sad for the parents and sad for the children involved—what common feature does my hon. Friend detect? Would I be right to assume that none of those authorities is Conservative controlled?

Mr. Paice: My hon. Friend is right. Of course none of those authorities is Conservative controlled—none of them has been for some considerable time. That is the common theme that he rightly identified. It is Labour, in reality, in control of education. Those authorities have been controlled by the Labour party—with a little help from the Liberal Democrats in a couple of cases—for many years. That is why they are consistently at or near the bottom of the table on education standards. That is the reality, not the pious words of the Labour party. If people want to see what Labour is really like in control of education, they need only look at those authorities.

Mr. Eastham: Is it not extremely dishonest of the Minister to draw comparisons with inner-city authorities, which have a high incidence of immigrant children whose first language is not English, when the Government are cutting section 11 funding to assist such pupils?

Mr. Paice: Most inner-city authorities are spending vastly more than the national average. Indeed, Lambeth is

at the top of the spending tree for primary schools and second from the top for secondary schools. The tables that we publish demonstrate that there is no correlation between pupils' achievements and the money being spent on them by wasteful authorities.

Mr. Day: Am I right to believe that the Labour authorities that rank in the bottom 10 are wedded to the principles of so-called progressive education, which have led to the destruction of such vital assets in schools as competitive sport, and believe that schools cannot produce pupils who could be classified as winners? In many schools, entire classes of losers have therefore been produced, which is not in the pupils' best interests and destroys opportunities for pupils of all abilities.

Mr. Paice: My hon. Friend is entirely right. The authorities that, sadly, have been controlled by Opposition parties for many years have consistently promoted forms of education that have now been proven to fail pupils. They adopt allegedly "progressive" methods—if ever there was an abuse of a term, that is it. Such methods have destroyed young people's opportunities. Nobody could take any pleasure or pride from the fact that only 17.4 per cent. of pupils in Islington and 19 per cent. in Knowsley are gaining five or more GCSEs, but, somehow, the Opposition try to do so.

Ms Estelle Morris: Does the Minister share my concern that figures given to me in a written answer this morning show quite clearly that, last year, Tory-controlled Westminster increased its spending on bureaucracy so that it spends more than any other local authority in the country? Will he join me in congratulating Labour local authorities such as Sheffield and Birmingham, which last year further reduced the amount spent on bureaucracy and now spend less than half that spent by Tory-controlled Westminster?

Mr. Paice: I am always glad to be asked a question by a former grammar school pupil, especially in the light of the allegations made yesterday about my right hon. Friend the Secretary of State's policies. Westminster achieves the best results of any inner-London borough, of which the Government and the Conservative party are very proud.

Mr. Harry Greenway: Will my hon. Friend confirm that some lucky pupils in those very badly run authorities have assisted places at independent schools? Is it not a disgrace that the Labour party runs those authorities and many others so badly that it denies poor children proper opportunities, as it will by trying to abolish the assisted places scheme? That is typical of the Labour party.

Mr. Paice: Given his knowledge of these matters, nothing should surprise my hon. Friend. It should not surprise him that Labour Members are intent on removing the ladder up which most of them climbed—the ladder of grammar or direct grant schools, which many attended. Indeed, earlier we listened to constant sedentary comments from a very prominent former grammar school pupil, the hon. Member for Bolsover (Mr. Skinner). *[Interruption.]* I do not like to be provocative. My hon. Friend should also take into account the fact that those authorities' failures extend not only to examination results; six of them are also among the 10 worst authorities for truancy.

Grammar Schools

13. **Mr. Mudie:** To ask the Secretary of State for Education and Employment when she estimates there will be a grammar school in every town. [33210]

Mrs. Gillan: Grammar schools have a proud tradition of helping the most able children to achieve their full potential. We want to encourage the establishment of more of them, as part of a spectrum that allows parents to choose the schooling that best matches their children's abilities and needs. The measures in the White Paper, "Self-government for schools", that we published yesterday will make it easier for grammar schools to be set up wherever that is what parents and schools want.

Mr. Mudie: The Minister will be aware that the public response to the White Paper was that it is a sham, designed to fool the policy unit at No.10 rather than being relevant to the needs of the majority of schoolchildren in Britain. If the Minister disagrees, and we are to take seriously the Government's proposal that there should be a grammar school in every town, will she say how many she expects there will be—first, before the general election and, secondly, before the millennium? Finally, let me raise a matter that was significant by its omission from yesterday's White Paper: how much new money has the Department been promised to create those new grammar schools?

Mrs. Gillan: The hon. Gentleman will have to read the White Paper again as he obviously does not understand it. The Government want to establish a range of schools to match children's varied talents, interests and needs. Grammar schools and other selective schools are an essential part of that range, but we are giving local communities the opportunity to decide whether they want a grammar school. I refer him to a recent survey commissioned by the Association of Teachers and Lecturers. It found that 54 per cent. of parents were in favour of a return to a fully selective education system. I would also draw his attention to headlines in newspapers such as, "Give us more grammar schools".

Mr. Hawkins: My hon. Friend will know that I have campaigned for the expansion of grammar schools for the past 23 years, ever since direct grant grammar schools such as the one that I was lucky enough to attend were destroyed by doctrinaire, narrow-minded socialist ideology. Does she agree that Labour's hypocrisy is especially shown by Opposition Front Benchers, who have so little faith in Labour local authorities such as the one that the hon. Member for Barking (Ms Hodge) used to lead that they do not send their children to schools in those authorities but take advantage of Conservative policies of choice and diversity?

Mrs. Gillan: I look no further than the Labour Front Bench to see the success of our education policies. The hon. Member for Peckham (Ms Harman) and the right hon. Member for Sedgefield (Mr. Blair) could give many other Labour Members a private tutorial.

Head Teachers (Retirement)

14. **Mr. Spearing:** To ask the Secretary of State for Education and Employment what study she has made of the reasons for early retirement of head teachers. [33211]

Mr. Forth: My right hon. Friend has made no study of the reasons for early retirement of head teachers. She is, however, considering the issue of early retirement for all teachers following a recent report of the Public Accounts Committee.

Mr. Spearing: Was it not the duty of the Secretary of State to have done that some time ago, bearing in mind the reports from professional associations of rapidly rising early retirement through stress? Is not the task of a head teacher to assemble the appropriate educational offering for all pupils in the school, for which he should be provided with the resources so to do? Have not the Government's changes turned head teachers virtually into business managers, dealing with a variety of issues that are extraneous to education? Does that not prejudice the quality of teaching and education and affect the standards that are attained and are constantly on the lips of Ministers and Conservative Members?

Mr. Forth: The hon. Gentleman, rather uncharacteristically, has departed from the factual background to his question. He should consider the fact that only 2.3 per cent. of heads and 1.5 per cent. of deputies retired on ill-health grounds in 1994-95. That is hardly a torrent or a flood. He should also bear in mind the fact that the increasing rates of ill-health retirement in teaching are below those in the health service or even the civil service. That hardly suggests that head teachers are peculiarly stressed or are retiring earlier than anyone else. I repeat that the Secretary of State will examine the subject of early retirement from teaching. Presumably, that will encompass heads.

Mr. Duncan Smith: When my hon. Friend looks in detail at the figures, will he bear in mind the fact that as we have now released schools from complete political control through local management of schools—and, ultimately, through the grant-maintained system—we are at last offering to those who aspire to be head teachers and to those who are head teachers the opportunity to run their schools for the benefit of the pupils? Essentially, that means that heads will be better off, will enjoy their job and will get greater job satisfaction. Are they not therefore more likely to stay for longer than those who wish to retire now?

Mr. Forth: How typical of my hon. Friend to encapsulate the difference in attitude between the Government and the Opposition. He rightly identified the opportunities available to heads the better to run their schools, while Opposition Members saw it as a matter of stress and a disadvantage. There could not be a clearer difference.

Nursery Voucher Scheme

15. **Mrs. Helen Jackson:** To ask the Secretary of State for Education and Employment what plans she has to extend the nursery voucher pilot schemes to other areas. [33212]

Mr. Robin Squire: Our plans for nursery education vouchers are transparently well known. We expect to extend the voucher scheme to all local education authority areas in England in April 1997.

Mrs. Jackson: In consultations with parents of nursery children in my constituency, I have found not one who wants the system of nursery vouchers foisted upon my area. Will he accept the sensible amendment accepted in the other place two weeks ago, whereby the pilot schemes for young guinea pigs in Wandsworth, Westminster, Norfolk and Kensington would be properly evaluated by the House before being extended?

Mr. Squire: We are, naturally, considering the matter in light of the vote in the other place, but we remain confident that the scheme has many attractions for parents. I hope that when the hon. Lady next meets parents she will point out to them the result of the survey of parents in phase 1 areas, which disclosed that 87 per cent. of Norfolk parents already rate the scheme as very good or quite good. The chief executive of the Pre-school Learning Alliance, which represents some 20,000 voluntary groups across the country, spoke the truth when he said that the House of Lords had got it wrong and that at least 200,000 young children would lose out as a result.

Mr. Bellingham: Is my hon. Friend aware that the scheme has met with great approval in Norfolk and that, in my constituency, the figure of 87 per cent. is probably an underestimate? Is he further aware that parents are very pleased, in spite of the great reservations expressed by the Labour establishment in Norfolk and elsewhere? Will the Norfolk schools that would have liked a nursery school project this year be given every possibility of getting one next year?

Mr. Squire: I congratulate my hon. Friend on his last question, but he will understand if I cannot give him that commitment this afternoon. The structure and sense of his comments is absolutely right, and his findings in Norfolk are reflected in each of the phase 1 authorities. The only danger is not the scheme itself but the distortions spread by Opposition Members.

Mr. Blunkett: Will the junior Minister tell us why, in her letter to the Leader of the House, the Secretary of State for Education and Employment stated that she thought that she would experience greater difficulty overturning the amendment in the Commons?

Mr. Squire: Much as the Government's commitment to open government becomes more apparent week by week, I hesitate to embrace these discussions on the Floor of the Chamber. Labour has no policy on nursery education, despite 17 years in opposition in which to plan for one. All Labour is prepared to do is to seek to frustrate the expansion of a scheme to provide quality nursery provision across the country. Labour should be ashamed

of itself. To use the vernacular that is appropriate today, even if there is extra time in this area, there are no golden goals for Labour—there are only penalties for parents across the country.

Mr. Jacques Arnold: What does my hon. Friend think has been said to the parents of children who are on the waiting lists, without much hope, of the state nursery units in Sheffield? Why has not the hon. Member concerned met them?

Mr. Squire: My hon. Friend is right. If only Opposition Members, including those representing Sheffield, would give the same consideration to spreading the range of choice of pre-school provision that the Government are delivering, matters would proceed more smoothly and parents would be the gainers.

EU Social Affairs Council

16. **Ms Quin:** To ask the Secretary of State for Education and Employment when she next expects to attend a meeting of the EU Social Affairs Council; and what matters relating to working conditions she expects to be discussed. [33213]

Mr. Forth: The next meeting of the Social Affairs Council is scheduled for 24 September. No agenda has yet been agreed, but I shall seek to ensure that the focus is on providing the environment to reduce unemployment and not on agreeing unnecessary, new and damaging European legislation. In the European Union, we want to make sure that there is a level playing field in the single market, an impartial referee in the European Court of Justice and no own goals to handicap our global competitiveness.

Ms Quin: Has the Minister noticed that the principal employment policy adviser of the Confederation of British Industry recommends that the British Government end their opt out from the social chapter? How does he explain to his European counterparts the fact that British industry is increasingly ignoring Government advice on the subject?

Mr. Forth: I wonder whether that would be the same adviser who advised entering the exchange rate mechanism. If so, we can safely discard the advice.

Lady Olga Maitland: Will my hon. Friend confirm that he has no intention of accepting the social chapter and the minimum wage? Does he agree that those factors above all else have caused high youth unemployment in other European countries, whereas our young people have far better life chances and a better chance of getting jobs?

Mr. Forth: My hon. Friend is right. To keep faith with our young people—happily, our youth unemployment rate is significantly lower than that of most of our partners and competitors—we must ensure that we do not embrace policies that will prejudice youth employment. We find it hard to understand how Opposition Members claim to be concerned about youth unemployment when all the policies that they would adopt would force it up.

Mr. Meacher: If European social market legislation is so damaging, will the Minister explain why 90 per cent. of that legislation was passed into British law by his Government before the social chapter was heard of in 1993? How can the social chapter be so damaging when only one measure—the European works directive—has been passed under it since 1993? Even in that case, the 140 British companies affected by the opt-out all later decided voluntarily to opt in. As the evidence shows that the member states with the best social provision are also those with the most competitive and productive economies, is not all the claptrap about the social chapter merely a cheap Tory pre-election stunt?

Mr. Forth: I was trying to find something of substance in the hon. Gentleman's question. I think that I stumbled on one thing that he accidentally said that illustrates clearly the difference between our parties. The fact that businesses agree to do something voluntarily is entirely a matter for them. The difference is that we would not unnecessarily force something on businesses whereas his philosophy—old Labour personified—is to force businesses to do what he thinks is good for them. We recognise their freedom of choice.

Mr. Sykes: Will my hon. Friend the Minister tell the Council, the hon. Member for Oldham, West (Mr. Meacher) and Opposition Members that factories such as mine in north Yorkshire have to work when the work is there, not when some Greek Commissioner says that it is there? If we were saddled with the 48-hour week, we would lose orders and have to lay men off. What is he going to do about the 48-hour week? Will he compare the Government's approach with the spineless attitude of the Labour party to such matters?

Mr. Forth: My hon. Friend, who knows about these things, is right to put his finger on the fact that measures that seek arbitrarily to limit the reasonable and realistic action of businesses are likely to prejudice the competitiveness of the European Union as a whole. As a member of that Union, that concerns us. We want Europe and Britain to be globally competitive; that is where jobs and wealth come from. Any measure that seeks arbitrarily and unthinkingly to trammel competitiveness is likely to prejudice our opportunities. The Government are examining carefully the directive that he mentioned and will respond in a proper way in due course.

Jobseeker's Allowance

17. **Mr. Burden:** To ask the Secretary of State for Education and Employment if she will make a statement on the future of the mechanisms in respect of the jobseeker's allowance administered by her Department. [33214]

Mr. Forth: The mechanisms necessary for delivery of the jobseeker's allowance will be in place by 7 October 1996 and reviewed as necessary thereafter.

Mr. Burden: The Minister is surely aware that in the first year of the jobseeker's allowance it is estimated that 90,000 people will lose all their entitlement to benefit and that about 150,000 will lose part of their entitlement. Is the Minister familiar with the term "social insurance" and, if so, what would he say about a private insurance company that collected contributions on one basis then, without asking the customer, cut the benefits? Would not

he urge that customer to seek the advice of a solicitor against that private insurance company operating under false pretences? Why does not he operate the same standards for his own Government?

Mr. Forth: The hon. Gentleman must occupy a peculiar world if he believes that every entitlement and every benefit that has ever existed could never be changed in one direction or another. If he looks back at the record of the previous Labour Government, however long ago it may be now, he will find that that Government felt quite free to change entitlements, usually for the worse, for a large number of people, so I do not even understand the basis of his question.

First Scottish Standing Committee

3.30 pm

Mr. Michael J. Martin (Glasgow, Springburn): On a point of order, Madam Speaker, of which you have been given notice.

It is my unpleasant duty to inform the House that, at the meeting of the First Scottish Standing Committee yesterday afternoon, I drew attention to the presence of Roseanna Cunningham, the Member for Perth and Kinross, Mrs. Margaret Ewing, the Member for Moray, and Mr. Alex Salmond, the Member for Banff and Buchan, not being members of the Committee, in the part of the Committee Room reserved for the members of the Committee; and the hon. Members having declined to withdraw, the Committee ordered

That the Chairman do report Roseanna Cunningham, Mrs. Margaret Ewing and Mr. Alex Salmond to the House.

Madam Speaker: I understand that the Leader of the House intends to move a motion relating to privilege.

Motion made, and Question proposed,

That the Chairman of the First Scottish Standing Committee, appointed in respect of the Education (Scotland) Bill *[Lords]*, shall have power to order any Member who is not a member of the Committee to withdraw immediately from the Committee Room and the Serjeant at Arms shall act on such orders as he may receive from the Chairman in pursuance of this order.—*[Mr. Newton.]*

3.32 pm

Mr. Alex Salmond (Banff and Buchan): The motion before us is to give the Chairman of the Scottish Standing Committee powers. My argument is that the House should not give the hon. Gentleman such powers, certainly not until such time as the House has debated the issue of the conduct of Scottish business, which has been a running sore in the House for many years.

I intend to be brief, not just to stay within the rules of order, but also because I would not dream of depriving English Members of their right to watch the semi-final of the European championships later this evening.

I start by pointing out some of the precedents for motions such as this, some of which might surprise many hon. Members—because, from time to time during the past 20 years, every Opposition party has been involved in similar circumstances.

The first precedent I want to consider was in 1972 during consideration of the Local Government (Scotland) Bill, when three Liberal Members of Parliament and three Labour Members of Parliament, two of them still distinguished Members of the House, went on to the Committee although they were not members of it.

The Members concerned were the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), the former leader of the Liberal Democrats, the late Jo Grimond, the late John Mackintosh, the late John Robertson and the late Tom Oswald.

In conversation with the hon. Member for Inverness, Nairn and Lochaber last evening, I reminded him of the precedent, and he remarked to me that that was something that he did as a younger Member of the House. I must take some comfort from the fact that perhaps that implies that I could still be classified as a younger Member.

Those Members in 1972 challenged the fact that Members from Scottish constituencies were not given the facility of serving on a Committee examining an extremely important Bill.

During the first sitting of the Standing Committee scrutinising the Housing (Scotland) Bill in 1988, the hon. Member for Falkirk, West (Mr. Canavan), still a Member of this House, interrupted the proceedings; the hon. Member for Glasgow, Springburn (Mr. Martin) was also in the Chair on that occasion. Although the Committee was suspended twice, the hon. Member for Springburn did not seek leave on that occasion to bring a motion before the House, and there was no debate in the House.

The argument used at the time by the hon. Member for Falkirk, West was that he was affronted by the fact that Members less qualified than he, from English constituencies, were allowed to debate and decide on Scottish matters, whereas he, a Scottish Member with suitable qualifications, was excluded.

Several hon. Members *rose—*

Mr. Salmond: It seems that I have quite a choice.

Mr. Anthony Coombs (Wyre Forest): If the hon. Gentleman's objection is that English Members may vote on the Education (Scotland) Bill, was it inconsistency or hypocrisy that led him and his Scottish National party colleagues to see fit to vote on the Nursery Education and Grant-Maintained Schools Bill recently, even though it applied only to England and Wales?

Mr. Salmond: Before I answer that, I must correct the hon. Gentleman on one point. I am not objecting to English Members serving on Scottish Standing Committees. I object to Members from English constituencies serving on them—*[Interruption.]*—an important difference, which the hon. Gentleman does not seem to appreciate. Many Members who represent English constituencies are Scots, and some Scottish constituencies are represented by English Members.

Mr. Coombs: Answer the question.

Mr. Salmond: I am making the point that people who serve on Standing Committees should have a responsibility to their constituents. Members without a single affected constituent can, it seems, decide key areas of Scottish business.

Mr. Michael J. Martin *rose—*

Mr. Salmond: In a minute.

Mr. Coombs *rose—*

Mr. Salmond: I do not want to have to appeal to the Chair for protection, but Conservative Members should learn to conduct themselves in an orderly fashion. When I have finished answering the hon. Gentleman, I shall gladly give way to the Chairman of the Committee.

The former, an experienced Member of this House, should know that my colleagues and I make it our practice not to interfere in English business. The most recent example of that was the Family Law Bill. If the hon.

Gentleman checks the record, he will find that none of us voted on that measure, because it concerned specifically English business. It was, however, quite clear that the nursery vouchers Bill for England was going to be used to pave the way for nursery vouchers in Scotland.

Mr. Michael J. Martin: I should point out for the record that, when the Committee was reconvened and my hon. Friend the Member for Falkirk, West (Mr. Canavan) was present again, I asked him to leave, and he left. So there was no need to come to the House to seek any powers. I say this just in case the hon. Gentleman is implying that he has received different treatment.

Mr. Salmond: The hon. Gentleman should check the record, which he may not have with him at the moment. I remind him that he twice suspended that Committee, and then suspended it until the following Thursday. The Committee did not sit on the day in question, because the hon. Member for Falkirk, West was still in his place. The date was 19 January 1988, so the hon. Gentleman should check the record—

Mr. Martin *rose—*

Mr. Salmond: Far be it from me—*[Interruption.]*

Several hon. Members *rose—*

Madam Speaker: Order. Mr. Salmond has the Floor.

Mr. Martin *rose—*

Madam Speaker: Order. The hon. Member for Banff and Buchan (Mr. Salmond) has the Floor, unless he gives way.

Mr. Salmond: I will not give way to the hon. Member for Springburn until I answer his question. The hon. Gentleman should note that, on 19 January 1988, the first sitting of the Scottish Standing Committee could not go ahead because the hon. Member for Falkirk, West did not leave the Committee. I understand that the Chairman of the Committee suspended the sitting until the following Thursday, but did not move a motion to report the hon. Member to the Floor of the House. Perhaps the hon. Gentleman has other information.

Mr. Martin: I shall put it on the record again: the hon. Gentleman turned up on the following Tuesday. I know that, because we shared an office at the time. I told him that I was going to chair the Committee, and he said that he was going to come and sit there. He turned up on the Tuesday, made a protest, left to go to another Committee meeting, and it was all over.

Mr. Salmond: I think the hon. Gentleman should check the record—he will find that the Committee had to be postponed until the following Thursday. Perhaps, if I shared an office with the hon. Gentleman, I would not be standing here debating these matters on the Floor of the House.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) *rose—*

Mr. Salmond: I have already referred to two precedents, and before I give way to the hon. Gentleman, I shall refer to two more.

The third precedent is the Self-Governing Schools Etc. (Scotland) Bill in 1989. Again, the Scottish Standing Committee was interrupted by me, by my hon. Friend the Member for Angus, East (Mr. Welsh) and by the then hon. Member for Glasgow, Govan. We advanced the same argument: Members less qualified than Scottish Members were able to sit and determine Scottish business.

Several hon. Members *rose—*

Mr. Salmond: Again, I am spoilt for choice, but I think I should finish referring to my precedents before I give way to hon. Members.

The fourth precedent is the Local Government Etc. (Scotland) Bill in 1994. Again, the Scottish Standing Committee underwent the exact same process, and yet again there was a debate on the Floor of the House.

My point is simple: these examples show that, concerning members across the Opposition parties, there is a running sore in the conduct of Scottish business. At various times and on various issues, Opposition Members have found it unacceptable that Members from English constituencies have been able to determine matters that they could not determine.

Mr. Foulkes: I understand the point that the hon. Gentleman is making. I am thinking back to when the House constituted the Scottish Standing Committee. I do not remember the hon. Gentleman or either of his two colleagues seeking to serve on the Committee. Did he ask to serve on the Standing Committee? In fact, will he remind the House whether he has ever served on a Standing Committee?

Mr. Salmond: As the record will show, I have volunteered to serve on Standing Committees on Scottish business on every major piece of legislation. My difficulty has been getting on to the Committees—even if sometimes I am ejected from them.

Mr. Foulkes: No, no.

Mr. Salmond: The hon. Gentleman says, "No, no." I remember a case when the hon. Member said that he was going to play Parnell with the House of Commons—that he would stand before the Mace. If the hon. Gentleman was still before the Mace, he would be kneeling, not standing.

Before we give powers to the Chairman of the Committee, there should be a substantive debate on the conduct of Scottish business, so that all these issues can be ventilated—so that we can decide whether it is appropriate for Scottish Members, who are responsible to their constituents, to effect these matters on Standing Committees.

Mr. Robert G. Hughes (Harrow, West): Will the hon. Gentleman be specific in his answer to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes)? Did the hon. Gentleman, the hon. Member for Moray (Mrs. Ewing) and the hon. Member for Perth and Kinross (Ms Cunningham) write to the Chairman of the Committee of Selection asking to be on this Committee? Yes or no?

Mr. Salmond: If the hon. Member can guarantee me that a letter to the Chairman of the Committee of Selection

[Mr. Salmond]

will result in me and my hon. Friends being offered an opportunity to serve on these Committees, I will gladly write such letters.

Mr. Andrew Welsh (Angus, East): I am sure that my hon. Friends have been happy to serve on Standing Committees. Does the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) speak for Labour Front Benchers in offering us places on the Standing Committees? As he knows, the places are carved up by the Front Benchers.

Mr. Salmond: In my attendance at the First Scottish Standing Committee yesterday morning, I noted the degree of co-operation between the Labour and Tory parties. I have not witnessed that degree of connivance in any other Committee—or across the Floor of the House, despite the usual channels.

My argument is that we should not give the Chairman powers until there has been a substantive debate on the conduct of Scottish business. Two important precedents should give us cause to consider that point seriously. The first is the question of Welsh business.

A Standing Order of the House allows every Welsh Member to sit on Welsh Standing Committees. I understand that that Standing Order was introduced in the early years of this century. Is not there a valid argument, even in the confines of the unitary Parliament in which so many hon. Members believe, to improve the conduct of Scottish business and grant the same facility as exists for Welsh business?

Mr. Dafydd Wigley (Caernarfon): I am grateful to my hon. Friend. Since 1907, Standing Order No. 86 has allowed every Welsh Member to sit on the Standing Committee of a Bill that deals exclusively with Wales. But, as my hon. Friend will understand, the reality is that, as soon as that Standing Order comes into play—for example, during consideration of the Welsh Language Act 1993 and the Local Government (Wales) Act 1994—the Government move a motion to abolish its powers. In reality, a majority of English Tory Members told us what to do about the Welsh language and local government in Wales.

Mr. Salmond: The point made by the hon. Gentleman is well taken, and it shows that many hon. Members present, who say that the Standing Orders of the House should be observed, are prepared to reinterpret them flexibly, as the Welsh example shows, when they do not suit the objectives of the governing party.

I know, Madam Speaker, that you have often reminded hon. Members, during Question Time and at other times, that we must be conscious of how our debates look to our constituents and to people outside the House. My strong feeling is that people in Scotland do not understand why Members from English constituencies should determine issues such as Scottish education, nursery vouchers and the compulsory enforcement of testing, against the wishes of the Scottish people.

Under Standing Order No. 86(2), it is doubtful that the hon. Members for Colchester, North (Mr. Jenkin), for Brentford and Isleworth (Mr. Deva) and for Langbaurgh (Mr. Bates) should be considered as suitably qualified, not because they are English but because they do not have a single constituent who will be affected by the provisions that are being debated.

I offer one other reason why we should not pass this motion. Last autumn, a facility was introduced to the procedures of the House that we were told would make a substantive change in the way that Scottish business was debated and discussed. My hon. Friends and myself have spent much time, as have other hon. Members on the Grand Committee, visiting various airts and pairts of Scotland on Mondays in the past few months. Indeed, two of my hon. Friends have a 100 per cent. attendance record, a record of which few—probably one or two—Labour or Conservative Members can boast.

My point is that, while the Grand Committee goes on its visitations round Scotland and acts as a mobile press conference for the Secretary of State for Scotland, the real decisions are made in Scottish Standing Committees. They are made not in the Grand Committee by Scottish Members, but in the First Scottish Standing Committee, with a majority secured by the importation of three Members from English constituencies who are the silent majority.

When the Prime Minister speaks this evening about how Scotland gets a good deal in the House of Commons and how the House is sensitive to the conduct of Scottish business, he should answer the substantial charge of hypocrisy. While he makes those comments about sensitivity to Scottish business, he mobilises the majority of English Conservative Members to enforce on Scotland measures that are clearly unwanted by the Scottish people.

Mr. Michael Bates (Lord Commissioner to the Treasury) *indicated dissent.*

Mr. Salmond: I see that the hon. Member for Langbaurgh is not in full agreement with the points that I have made. I wonder how many times he has explained to his constituents why he spends so much of his valuable parliamentary time forcing unwanted measures on a range of policies on the Scottish people and our constituents. I think that the people of Langbaurgh are entitled to a full-time Member of Parliament, as opposed to one who spends so much time facilitating the conduct of Scottish business.

Several hon. Members *rose—*

Madam Speaker: Order. Is the hon. Gentleman giving way?

Mr. Salmond: No, Madam Speaker.

Madam Speaker: In that case, the hon. Members must resume their seats.

Mr. Salmond: Despite the precedents to which I have referred, and the fact that hon. Members from all Opposition parties have made similar points—often in the manner in which I have described—there are those who would say that seeking to attend Standing Committee meetings against the wishes of the Chairman is not the way to deploy our grievances.

I noticed that the leader of the Labour party in Scotland, the hon. Member for Hamilton (Mr. Robertson), claimed in today's press that such actions represent a challenge to the sovereignty of the House of Commons. It occurs to me that the hon. Gentleman and all his hon. Friends signed a document, "The Claim of Right", which was a challenge to the sovereignty of the House of Commons.

Mr. Tam Dalyell (Linlithgow) *indicated dissent.*

Mr. Salmond: The hon. Gentleman shakes his head, so I assume that he did not sign it.

I have no problem with challenges to the sovereignty of the House of Commons. However, I think that it is interesting that people who sign documents in Scotland are prepared to employ totally different arguments when they are in London.

Mr. Robert Key (Salisbury): The hon. Gentleman said that he would be brief. I am beginning to suspect collusion between the Scottish Nationalists and the Government Front Bench to prevent us from hearing the words of the hon. Member for Peckham (Ms Harman).

Mr. Salmond: I had intended to be brief, so as not to disrupt the hon. Gentleman's viewing of the football semi-final this evening. However, I have been diverted by his intervention and by those of his hon. Friends. My only sin has been to give way too generously to hon. Members, and to expect them to make more substantive points than they have been able to manage.

The conduct of Scottish business in the House would be deployed better if we had a serious debate on the Floor of the House about a specifically Scottish Bill. The legislation under consideration is no ordinary Bill—it is one of the few measures certified by the Chair as a specifically Scottish measure. Under those circumstances, and before we give draconian powers to the Committee Chairman, should we not debate whether such legislation could be facilitated by allowing Scottish Members of Parliament to decide the matter?

Mr. Andrew Faulds (Warley, East): I am grateful to the hon. Gentleman. As a Scot, I have a great deal of fellow feeling for his dissertation. I think that Scotland in these circumstances gets a rough deal, and I hope that that is rectified in future Parliaments. But I have to say, in making a positive and helpful contribution, that it is time the whole question of the composition of Committees was examined profoundly in this House of Commons.

I have been here for 30 years. I have detailed knowledge of a limited number of subjects, but if ever I have applied for a Committee on which I might have made a positive contribution, have I been accepted? I could name the Committees—but I do not want to bore the House. If one's face does not fit, if one is not a mate of the Chairman of the Committee of Selection—and I certainly was not—and if one did not have the right contacts with one's Whips Office—we have all had happy and less happy experiences in the past 30 years—one does not stand much chance of selection. This whole question needs to be profoundly re-examined.

Mr. Salmond: The hon. Gentleman tempts me to stray somewhat wider than the motion under consideration. I can understand why many Committees might be somewhat wary of the hon. Gentleman's formidable debating skills and his experience in the House of Commons over many years. He expresses his frustration, and reminds us that it is not only Scottish Members of Parliament who are frustrated in these matters. I am sure that he would be the first to recognise—as he said—that there is a specific matter—

Mr. Jacques Arnold (Gravesham): This is a filibuster.

Mr. Salmond: I have tried to be generous to the hon. Gentleman's colleagues. Every item of Scottish business is not only filibustered but gerrymandered in this place by his right hon. and hon. Friends, who dictate Scottish business against the wishes of the Scottish people.

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): I am grateful to the hon. Gentleman for giving way, as I realise that he was about to conclude.

The hon. Gentleman said—and rightly so—that the Bill in question is a purely Scottish measure. Will he go back to the answer that he gave my hon. Friend the Member for Wyre Forest (Mr. Coombs), and say why he voted on an equivalent English Bill, which he said had implications for Scotland? If the Bill that we are debating upstairs in Committee is a purely Scottish measure, what were those implications that were so important that he and his hon. Friends voted?

Mr. Salmond: We received representations from many organisations in Scotland, including the teaching unions, saying that we should take a look at the measure, because, in so many ways, the Minister and the Secretary of State for Scotland were trying to take Scottish education in an anglicised direction. The measures that he supports today in England are exactly the same as the ones that will be introduced in Scotland tomorrow. On that basis, given the representations that were made by the teaching unions and others, we deemed it appropriate to vote against it.

Any examination of the record will show that my hon. Friends and I do not vote on specifically English matters as a matter of course. Indeed, I have been criticised in the House for not exercising a vote on specifically English matters. The Minister should note that, if he wants to anglicise Scottish education, he will have to accept that Scottish Members must take note of what his colleagues are doing south of the border, because what is being done to fragment and divide the education system south of the border is what will be done to fragment and divide it in Scotland later on.

My substantive point is to draw attention to the anomaly whereby specific Scottish business, certified by you, Madam Speaker, is not decided by Scottish Members who are responsible for their constituents. As I have pointed out, there have been many precedents in the past 20 years or so involving hon. Members of all Opposition parties in the House, which shows that we are debating not an isolated incident but a running sore in the way in which the House of Commons debates and takes decisions on Scottish business.

Before Labour Members go into the Government Lobby, they should reflect that, many times, their own constituency Members have made similar points. Surely

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the House is generous enough, before proceeding with the motion, at least to concede a debate on the substantive concern that all Scottish Members should have about the conduct of Scottish business in this place.

3.57 pm

Mrs. Ann Taylor (Dewsbury): I was minded to support the motion of the Leader of the House before I heard the hon. Member for Banff and Buchan (Mr. Salmond). Having heard him, however, I am even more convinced that the motion is absolutely necessary. His speech was extremely revealing, and gave us no good reason to vote against the motion.

I intend to be brief, unlike the hon. Gentleman, because I personally regret the fact that the House has to spend time debating this motion when we could be debating the motion on the health service, which applies to Scotland as well as England. If the hon. Gentleman had read his Order Paper, he would have realised that what he is doing today is ensuring that time is taken from a critical debate on health, which affects Scotland as much as England.

Mr. Salmond: The hon. Lady seems to be suffering from a misapprehension. My hon. Friends and I do not decide when these motions are brought to the Floor of the House. That is a matter for the Leader of the House, no doubt in concert, through the usual channels, with the hon. Lady.

Mrs. Taylor: The hon. Gentleman should have thought about that before he disrupted the Committee yesterday. If he does not know enough about procedure to realise that his actions yesterday would lead to this motion, he is obviously not very well informed on the procedures of the House. It struck me while he was speaking that he had one concern about today, and it was not the health service debate. There is a football match later this evening. If that is his priority, so be it, but I do not think that it is the priority of the people he represents.

Hon. Members take different opportunities to make their points in the House, and it is legitimate that they protest about the activities of the Government or other hon. Members. The House has many procedures and safety valves—points of order and other mechanisms—allowing hon. Members to raise issues, and disruption of a Committee of the kind that we saw yesterday is extremely juvenile behaviour. If hon. Members choose to protest in that way, they must take the consequences, and today's motion is a direct consequence of what happened yesterday.

The hon. Gentleman's argument was strangely convoluted. For instance, he did not say why he had chosen to disrupt that particular Committee at that particular time, rather than disrupting any other Committee dealing with Scottish affairs. If he were consistent, he would disrupt every Committee of which he is not a member—I gather that there are quite a lot of those.

Moreover, if the hon. Gentleman was so worried about the membership of the Committee, why did it take him six sittings to work out that it included three English Conservative Members? What was he doing during all that time? I have not followed the Committee's proceedings very carefully, but I do not imagine that the English Conservative Members were making a tremendous contribution. Nevertheless, I would have expected the hon. Gentleman to notice their presence before now.

As for the interest that the hon. Gentleman and his two hon. Friends have taken in the Bill, I note that, on Second Reading of the Bill, a succession of Labour Back Benchers spoke, one after the other. I do not think that you, Madam Speaker, would have called them if members of other parties had sought to catch your eye. I think we can be certain that this was no more than a simple device.

Mr. Salmond: My hon. Friend the Member for Angus, East (Mr. Welsh) spoke on Second Reading. But am I right in thinking that the Labour party did not vote against Second Reading, although both the Liberals and the SNP did so?

Mrs. Taylor: Again, the hon. Gentleman should do his homework. He should remember the reasoned amendment we tabled on that occasion. As for the fact that one member of the Scottish National party spoke, what a big deal! After all, the measure affected Scotland, and, as I have said, there was scope for other hon. Members to intervene. There was a succession of Labour speakers; had members of other parties wished to speak, they could have caught the Speaker's eye.

I am pleased to note that the hon. Gentleman has decided that in future he wishes to participate in Standing Committee sittings. It has been brought to my attention that, since he entered the House in the 1987-88 Session, there have been 51 Standing Committees on Bills affecting Scottish legislation, which have had 227 sittings. The hon. Gentleman is so keen on contributing to discussion of such affairs that he has managed to attend one sitting of one Committee.

I am afraid that the record of the hon. Gentleman's party is not always terribly good. No member of the SNP could find time to serve on the Committee considering the Deer Bill—enacted in 1991—the last for which membership was requested.

The real problem is that my hon. Friends were doing far too well on the Standing Committee for the Scottish nationalists' liking. The Scottish nationalists were making no substantial contribution. Their tactics were wrong, and they had no real ideas about the legislation. In order to mask their ineffectiveness, they staged a silly juvenile prank. I do not believe that the House will, on this occasion, have any sympathy with the hon. Member for Banff and Buchan and his colleagues. They were foolish yesterday, and they must accept the consequences.

4.4 pm

Mr. Bill Walker (North Tayside): I rise to support my right hon. Friend's motion, and the House may well ask why—[HON. MEMBERS: "No."]—a Scottish Member of Parliament, having listened to the tirade from the hon. Member for Banff and Buchan (Mr. Salmond), would do so. We must support the Chairs of Standing Committees. The Chair of a Standing Committee has the onerous task of ensuring that legislation proceeds in an orderly manner. The hon. Member for Banff and Buchan made a revealing speech, and the hon. Member for Dewsbury (Mrs. Taylor) added to the revelations.

It is interesting that some hon. Members do not serve on Standing Committees and give their service to the House, but not surprising, because they do everything they can to undermine the House and its workings. The

Scottish National party is all about doing that. The actions of SNP Members yesterday were designed to produce this debate, and for them to pretend otherwise is humbug.

Mr. John Home Robertson (East Lothian): I do not believe that the House wants to take lectures from the hon. Member for North Tayside (Mr. Walker) about humbug. Perhaps the hon. Gentleman will cast his mind back to the last Parliament, when he single-handedly prevented a Scottish Select Committee being established to monitor the work of the Scottish Office during the whole of that Parliament. If the hon. Gentleman is so loyal to the Chairs of Committees, why is he not backing the Chairman of the Select Committee on Scottish Affairs?

Mr. Walker: I would have preferred the hon. Gentleman not to bring up that matter, because it is embarrassing to his party, not to me.

You are well aware, Madam Speaker, of the matter about which you have written to me, concerning the chairmanship of the Scottish Affairs Select Committee. It was not my intention to mention that matter today—or the apology that had to be made by the shadow Secretary of State for Scotland in respect of matters affecting that Committee. The hon. Member for East Lothian (Mr. Home Robertson) has done his party a great disservice. Before the hon. Gentleman criticises me in relation to rules, procedure and behaviour, he should do his homework a bit more carefully.

We are seeing today a disagreement between the Scottish National party and the Labour party, dressed up—for that is what it is—as a pretence that principle is at stake. We all know that Standing Committees reflect the majority party, whichever it might be. We know that, if the Government of the day are to have their way, they must have a majority in Standing Committees—reflecting the composition of the House.

It is nonsense for the hon. Member for Banff and Buchan to pretend that his behaviour and that of his colleagues yesterday had anything to do with principle. He claimed to be making a point about the conduct of Scottish business and the composition of Standing Committees considering Scottish Bills.

The hon. Member for Dewsbury pointed out that the hon. Gentleman is in no position to make such a claim. As a Member of Parliament who has served all the hours on Standing Committees that the hon. Lady mentioned, I have noted the absence all his time in the House of the hon. Member for Banff and Buchan from Standing Committees. It is clear to me that hon. Gentleman is in no position to comment on the composition of Standing Committees.

Mr. Salmond: I remind the hon. Gentleman that he has voted three times over the past few years to eject me from Standing Committees considering Scottish business.

Mr. Walker: And I shall be doing so again today. The hon. Gentleman has clearly demonstrated to the House why it is right to do so.

What we saw yesterday and what we have seen today is a foretaste of what a Scottish Parliament would be like. I am delighted that this has been brought to the attention of the people of Scotland, because it clearly demonstrates that the left-wing socialists of the SNP fell out in Committee with the socialists of the Labour party in Scotland.

Those of us who were in the Committee know that the hon. Member for Angus, East (Mr. Welsh)—to put it kindly—was miffed. He and Labour Committee members had words, which was partly due to the fact that the very able but inexperienced Labour Front Bencher leading for the Labour party—*[Interruption.]* Yes, the hon. Member for Monklands, East (Mrs. Liddell) is very capable, and she was very impressive in how she handled the matter. But she is not fully aware of the House's rules and conventions, which seems to be a common failing of hon. Members from the Scottish Labour party.

The hon. Member for Monklands, East upset the hon. Member for Angus, East because she publicly—I thought unwisely—drew attention to the fact that she disagreed with him, and suggested that he did not understand the rules. That is a paraphrase, but that is roughly what happened.

The hon. Member for Angus, East felt that he had to do something about that. Because of that, we are all suffering today. That is why I believe that it is right that the House should support the Chairman of the Committee. If we do not support the Chair, we will never conduct our business properly.

Mr. Jeff Rooker (Birmingham, Perry Barr) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly:—

The House divided: Ayes 349, Noes 5.

Division No. 157] **[4.11 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Peter *(East Surrey)*
Ainsworth, Robert *(Cov'try NE)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Austin-Walker, John
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Barnes, Harry
Barron, Kevin
Batiste, Spencer
Bayley, Hugh
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Benton, Joe
Beresford, Sir Paul
Betts, Clive
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Bradley, Keith
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brown, M *(Brigg & C'thorpes)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Budgen, Nicholas
Burden, Richard
Burns, Simon
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clappison, James
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clarke, Tom *(Monklands W)*

Clifton-Brown, Geoffrey
Coffey, Ann
Cohen, Harry
Colvin, Michael
Congdon, David
Conway, Derek
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre For'st)*
Cormack, Sir Patrick
Corston, Jean
Couchman, James
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Chris *(L'Boro & S'worth)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Dey, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dewar, Donald
Donohoe, Brian H
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dowd, Jim
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dunwoody, Mrs Gwyneth
Dykes, Hugh
Eagle, Ms Angela
Eastham, Ken
Egger, Rt Hon Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Flynn, Paul
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fyfe, Maria
Gale, Roger
Galle, Phil
Gardiner, Sir George
Garnier, Edward
Gerrard, Neil
Gill, Christopher
Gillan, Cheryl
Godman, Dr Norman A
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hamilton, Neil *(Tatton)*
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hanson, David
Hargreaves, Andrew
Harman, Ms Harriet
Hasselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Hill, Sir James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Horam, John
Howarth, George *(Knowsley North)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hutton, John
Illsley, Eric
Ingram, Adam
Jamieson, David
Jenkin, Bernard
Jenkins, Brian *(SE Staff)*
Jessel, Toby
Jones, Dr Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Key, Robert
Khabra, Piara S
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Liddell, Mrs Helen
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
Maclean, Rt Hon David
McLeish, Henry
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maddock, Diana
Madel, Sir David
Mahon, Alice
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Merchant, Piers
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Mills, Iain
Mitchell, Andrew *(Gedling)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Morgan, Rhodri
Mudie, George
Murphy, Paul
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
O'Brien, William *(Normanton)*
O'Hara, Edward
Oiner, Bill
O'Neill, Martin
Ottaway, Richard
Page, Richard
Parry, Robert
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Pickthall, Colin
Pike, Peter L
Pope, Greg
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Prentice, Bridget
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, George *(Hamilton)*
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Roe, Mrs Marion *(Broxbourne)*
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowe, Andrew *(Mid Kent)*
Sedgemore, Brian
Shaw, Sir Giles *(Pudsey)*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Short, Clare
Skeet, Sir Trevor
Smith, Llew *(Blaenau Gwent)*
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soley, Clive
Spearing, Nigel
Speller, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Rachel *(Dunfermline W)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Stephen, Michael
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Streeter, Gary
Sumberg, David
Sutcliffe, Gerry
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Touhig, Don
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trickett, Jon
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Wardell, Gareth *(Gower)*
Wareing, Robert N
Waterson, Nigel
Watson, Mike
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wilkinson, John
Willetts, David
Williams, Rt Hon Alan *(Sw'n W)*
Wilshire, David
Wilson, Brian
Winnick, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wise, Audrey
Wood, Timothy
Wright, Dr Tony
Yeo, Tim
Young, David *(Bolton SE)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and Mr. Roger Knapman.

NOES

Wigley, Dafydd

Tellers for the Noes:
Mr. Andrew Welsh and Mr. Cynog Dafis.

Cunningham, Roseanna
Ewing, Mrs Margaret
Salmond, Alex
Skinner, Dennis

Question accordingly agreed to.

Resolved,

That the Chairman of the First Scottish Standing Committee, appointed in respect of the Education (Scotland) Bill *[Lords]*, shall have power to order any Member who is not a member of the Committee to withdraw immediately from the Committee Room and the Serjeant at Arms shall act on such orders as he may receive from the Chairman in pursuance of this order.

Point of Order

4.26 pm

Dr. Gavin Strang (Edinburgh, East): On a point of order, Madam Speaker. Last Thursday, in reply to an oral question, the Minister of Agriculture, Fisheries and Food advised the House that measures associated with bovine spongiform encephalopathy would cost around £1.5 billion over the next three years. I assumed that he made an error in reading his brief as previous written answers and the Minister's own eradication plan had put the figure at around £2.5 billion.

Last night, however, in her reply to the debate the Parliamentary Secretary told the House that

"the cost over the next three years was quoted as being £1.5 billion."—[*Official Report*, 25 June 1996; Vol. 280, c. 250.]

She said that Ministers had looked at the consequences of all the schemes and that she could now tell the House that the cost would be around £2.5 billion. She then asked whether the House would accept that "updated figure".

The Parliamentary Secretary was seeking to give the House two messages: that the Minister was merely quoted as underestimating the amount and that she had a new, updated figure to give us.

I assume that the £2.5 billion does not include the cost of the selective slaughter programme agreed by the Prime Minister in Florence. I fully appreciate that the Minister is away and that the Parliamentary Secretary is not available, but I hope that in due course the Minister will give us a clear statement on those costs. They are large sums of money and it is only right that the House should be properly informed.

Madam Speaker: I noticed the updated figure that was given yesterday by the Parliamentary Secretary. The comments of the hon. Member for Edinburgh, East (Dr. Strang) will have been noted. Perhaps he will wish to take the further opportunities to put questions and to press the matter.

Energy Conservation (Provision of Information)

4.28 pm

Mr. Tim Yeo (South Suffolk): I beg to move,

That leave be given to bring in a Bill to make provision in respect of information to be provided in connection with the energy efficiency of residential buildings.

I am delighted to have the chance, rather belatedly, of introducing a measure that will apply in England and Scotland. It will have three effects: first, it will cut the fuel bills paid by home buyers; secondly, it will save energy and improve the environment; and, thirdly, it will create jobs in the construction industry. Each of these desirable aims will be achieved without using a single penny of taxpayers' money.

The Bill provides for all mortgage lenders—be they building societies, banks or other financial institutions—to require from house purchasers an energy rating survey of the property that they wish to purchase. That is not an onerous requirement. House buyers who require mortgage finance to enable them to purchase a property already normally have to undertake a survey of the condition of the property that they wish to buy. To include in such a survey an assessment of the energy rating of the property will involve little extra work—it is estimated that it will take perhaps an extra 15 or 20 minutes on the part of the surveyor. The additional cost, therefore, to the house purchaser will be of the order of £10, or £20 at the most.

The energy rating takes the form of a standard assessment procedure rating that will give a figure on a scale from one, for the most energy-inefficient properties, to 100, for those properties that are the most energy-efficient. I am glad to say that this system now has the support of the various groups that had previously backed rival and competing methods of analysing the energy efficiency of a property. That period of competition and disagreement has ended, and there is now general support for the SAP rating system.

New homes, for the most part, are built to a high-enough standard to achieve satisfactory levels of energy efficiency. The Bill is therefore targeted at the large stock of second-hand homes, the vast majority of which were built before considerations of energy efficiency were as important as they are today. Last year, about 680,000 second-hand properties changed hands, with three quarters of those transactions being completed with the help of a mortgage. Therefore, the effect of the Bill would be that, each year, about 500,000 second-hand properties would have the benefit of having an energy rating survey carried out.

The owners of those 500,000 properties would be made aware of the potential scope for cutting their fuel bills by a modest investment in energy-saving measures. In many cases, those owners may be made aware of that fact for the first time. Far too few people are aware of how much can be done by quite modest expenditure to save energy, and thus to cut fuel costs. The payback period can be rapid. For example, the cost of insulating a loft or a hot

[Mr. Tim Yeo]

water tank can be recovered in as little as two to three years. Insulating a cavity wall is a rather more expensive exercise, but here too the payback period can be five years or less. The same is true of the purchase costs of a gas condensing boiler.

In those various ways, house buyers can achieve substantial savings over a short period, but the Bill will not merely be of advantage to them. As more and more homes are subject to an energy survey, so the environmental gains will accumulate. Let us make a cautious assumption that perhaps three out of five home buyers—once they were aware of how much they could save by investing in energy-saving measures—will take the rational and self-interested decision to improve their homes in that way. If the number of house transactions remains at its current relatively low level, the reduction in carbon dioxide emissions could reach 270,000 tonnes annually within 10 years. By the middle of the next century, virtually the whole stock of second-hand homes would have received an energy rating. By then, we could expect savings in emissions to have reached 1.5 million tonnes of carbon a year. That would make a substantial contribution to meeting the national target to which Britain is publicly committed.

Finally, let me draw attention to the employment consequences of those measures. Much energy-saving expenditure results in highly labour-intensive work. The immediate and direct consequence of encouraging home buyers to spend money on energy saving would be to increase employment in the construction industry and related sectors.

I cannot imagine what objection there could be to the proposal. The only possible one arises from an entirely proper and understandable concern that Parliament should not impose additional statutory obligations on house buyers, who already face a cumbersome process. However, the measure would achieve benefits that would justify the modest additional legislative hurdle. Even that objection could be overcome if we built a time limit into the measure.

Let us suppose that the statutory requirement for an energy rating was to be imposed on lenders for a limited period of, say, five years. I am confident that, at the end of that period, the concept of having information about the energy efficiency of a home would become so widely accepted that it is inconceivable that lenders or borrowers would wish to proceed with a transaction without it. No one would think of buying a house without knowing what council tax band it was in. No estate agent would publish the particulars of a property that they were trying to sell without giving such information. Yet many households spend far more on heating and hot water fuel costs than on council tax. It should be a matter of routine for everyone involved in the transfer of a house, whether the vendor, the purchaser, the estate agent, the lender or the surveyor, to supply energy efficiency information.

I recognise that, under our procedures, the Bill will not pass on to the statute book this Session. I hope that after the ballot for private Members' Bills in the autumn another hon. Member will pick up the issue. Energy efficiency is not a glamorous or politically controversial subject. One of its problems is that it is not sufficiently exciting to attract the attention of many people. However, there are few issues where environmental and economic aims so harmoniously and completely coincide. Rarely are the interests of the individual directly affected and those of the community so entirely at one. It is against that background that I warmly commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tim Yeo, Sir John Hannam, Mr. Richard Needham, Mr. Nigel Forman, Mr. Peter Bottomley, Mr. Alan Simpson, Mr. Matthew Taylor, Dr. Michael Clark and Mr. Patrick Thompson.

ENERGY CONSERVATION (PROVISION OF INFORMATION)

Mr. Tim Yeo accordingly presented a Bill to make provision in respect of information to be provided in connection with the energy efficiency of residential buildings: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 162.]

Opposition Day

[17TH ALLOTTED DAY]

National Health Service

Madam Deputy Speaker (Dame Janet Fookes): Madam Speaker has selected the amendment in the name of the Prime Minister.

4.39 pm

Ms Harriet Harman (Peckham): I beg to move,

That this House notes that patients are suffering as NHS services are overstretched, that there is a shortage of intensive care beds, that waiting lists are long and set to rise, that patients have to spend hours on trolleys in Accident and Emergency Departments because of the cuts in hospital beds and that community and mental health services are struggling to meet growing need; believes that the Government aims to reduce the NHS to a safety net service, that people should not be forced to pay to go private to get excellent and prompt care and that the NHS must meet patients' needs and expectations; regards it as a scandal that extra resources put into the NHS have been squandered by the Government on extra bureaucracy for the internal market; and calls on the Government to cut the red tape and put the money into patient care, scrap the internal market, replace GP fundholding with GP commissioning, and thereby renew the NHS as a one nation health service which is fairer and more efficient.

For millions of people throughout Britain, the NHS means security and peace of mind. At a time of growing insecurity—insecurity at work and fear of crime—and uncertainty, the NHS means knowing that there is at least one area of our lives where we can be sure that we will get what we need when we need it, no ifs, no buts. That was the founding principle of the NHS that Labour created, and that remains its central principle today, or at least it should be.

But the NHS is under threat. People are having to pay for more and more aspects of their health care. If the Conservatives were to be re-elected at the next election, they would strip the NHS down to all but the basic emergency services. We know that from what the Conservatives are doing and saying.

Services are being pushed out of the NHS. Take dentistry. First, the Tories put up charges so high that the dentist's bill makes one think that one has gone private. Then it becomes harder and harder to find an NHS dentist, so people do end up paying to go private. NHS dental lists now have 2 million fewer people than two years ago.

Take long-term care. The Tories promised care from the cradle to the grave. Then they closed the nursing beds in the NHS and people now have to pay to go private or go through a means test.

More and more people are having to pay for their operations. The number of people covered by private medical insurance has more than doubled. Under the Tories it has risen by 124 per cent.

As NHS hospital beds close, private hospital beds open. During the past 15 years, the number of private hospital beds has increased by 66 per cent., while the number of NHS hospital beds has been cut by 28 per cent.

The Tories are beginning openly to admit that what they really want is for the NHS to be cut down to core services, as they describe them, so that it becomes a safety net service. The Secretary of State, in his recent statement to the House on long-term care for the elderly, said:

"The Government believe that the principal responsibility for making that provision must rest with the individual citizen . . . We shall continue to provide a safety net."—[*Official Report*, 7 May 1996; Vol. 277, c. 29-31.]

On BBC's "Question Time" last month, the Chief Secretary to the Treasury said:

"The real question is, 'What are the key core things we should be doing and what are the things that are further down the list of priorities that are less important for health services to be doing at the public expense?'"

The Secretary of State for Health (Mr. Stephen Dorrell): The hon. Lady accurately quoted from a statement that I made on the subject of the social care of the elderly. As she knows, ever since 1948, social care has been a means-tested service within the welfare state. Is she committing the Labour party to making it a universal tax-funded service?

Ms Harman: I am saying—*[Interruption.]* Might I be allowed to answer?

I am saying that the Government are pushing services that used to be free under the NHS out of the NHS. People used to get long-term nursing care in the NHS. Then it was an NHS service and it was free. Now it has been pushed out of the NHS, redescribed as a social care service and is subject to a means test. It is no good the Secretary of State trying to fiddle around with definitions. A whole generation of elderly people in Britain know that the Government's promises have been broken.

Mr. Dorrell: I am grateful to the hon. Lady for giving way again. She knows that we have closed 20,000 geriatric beds in the NHS over 17 years and we have seen a growth in the private sector of nursing and residential care of bed space of 250,000, 80 per cent. of which are supported from public funds. Is she committing the Labour party to providing that service on the taxpayer? The elderly people of this country are entitled to know the answer to that question. Is she committing Labour to paying out of tax revenues, or is she committing Labour to continuing the present policy?

Ms Harman: I am saying that a whole load of services that used to be provided free in the NHS have now been pushed out of it, so that people have to pay for them or they have to be means-tested. The figures that the Secretary of State has just given the House have assisted my case.

As the Tories cut services, patients suffer. In December last year, 10-year-old Nicholas Geldard collapsed at home, seriously ill. No intensive care bed could be found for him in the Greater Manchester area, so he had to travel 69 miles across the Pennines to Leeds, where he arrived 12 hours later, but he was dead on arrival. There are many other similar tragic cases. The survey that we carried out earlier this year of paediatric intensive care units showed that during the first four months of this year no fewer than 330 critically ill children were turned away from intensive care beds—in every region of the country.

What was the Secretary of State's response to this tragic situation? He said, certainly, that there should be more intensive care beds, but he said nothing about where the extra money would come from—

Mr. Dorrell: I announced the beds.

Ms Harman: Yes, but not how they were to be funded. Up and down the country doctors are warning that patient

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care is being put at risk and that the quality of care that they want to give their patients is suffering because the Government want hospitals to treat more and more patients, but without enough money. I should like to quote some of the doctors who have spoken up on the issue. Dr. Christopher Adams, consultant neurosurgeon at the John Radcliffe infirmary in Oxford, resigned his post, saying:

"It got to a stage where we were churning out patients so fast it became dangerous."

As hospital beds are cut—the Tories have cut one in five NHS hospital beds—patients are forced to wait for treatment on trolleys in casualty departments. In January this year, the British Medical Association warned of a severe and prolonged crisis in the acute sector. In the Good Hope hospital, people were having to wait for long periods on trolleys in accident and emergency. Ambulances brought in more patients, but they could not be taken out of the ambulances to the A and E department because the department was already full of patients lying on trolleys, unable to be admitted to the wards because the wards were full—because bed numbers had been cut. So the patients waited in the ambulances. Then, when the ambulances were called out again, they could not do their emergency runs because patients were still waiting inside them.

In the Royal Hallamshire hospital in Sheffield, patients waited up to 19 hours on trolleys, and a consultant physician warned:

"For God's sake, do not get ill . . . To be taken as an ill patient into an acute casualty or admissions ward is now a major danger in life."

Patients are waiting too long on waiting lists for treatment. That means misery for them. Having to wait a long time for treatment is the criticism that patients most frequently make of the NHS. One million people are waiting for operations; 250,000 of them have been waiting for more than six months. Long waits matter a great deal to patients and to those working in the NHS, yet only last week the Secretary of State for Health gave hospitals the go-ahead to increase the times that they make patients wait before treatment. Patients are often in pain or discomfort, and waiting puts additional stress on them and on their families and jobs.

No wonder so many people feel driven to pay to go private for the health care that they need. It is not just hospitals; community and mental health services are also struggling. But even after people have had to wait a long time for treatment, when they telephone the hospital on the day of an operation, they are often told that it has been cancelled. Last year 55,000 patients were told that at the very last minute. That number is increasing. It is unacceptable that patients have to wait months for treatment, only to have their operations cancelled on the day that they are due to go into hospital. Patients are being pushed into the private sector—pushed into paying—because of the fear and uncertainty of waiting and of operations being cancelled.

Dr. Charles Goodson-Wickes (Wimbledon): I take it from the hon. Lady's speech that she endorses the fact that trade union members take advantage of the independent sector—the Manor House hospital, the Benenden hospital, et cetera—and jump the queue?

Ms Harman: The hospital that the hon. Gentleman mentioned is a long-standing charity; it is not at all the same issue that we are dealing with today—we are dealing with the failure of the national health service to meet people's needs under the Conservative Government. People are having to pay, to go private, to get the treatment that they need.

Dr. Goodson-Wickes: Will the hon. Lady give way?

Ms Harman: No, I shall not give way again.

I refer to 64-year-old David Miller, from Surrey, who had his operation cancelled no fewer than 10 times at the Hammersmith hospital. In May this year, he decided to go private, only to be told that his liver cancer had spread too far and that it was too late for surgery.

The Government tell people, "Your child needs an intensive care bed, but they are all full—sorry." People are being taken into accident and emergency departments and told, "You will be admitted, but you will have to wait hours on a trolley because all the beds in the hospital are full—sorry." People who are told that they need a hip replacement want to have it done right away, but they are told, "You will have to wait months—sorry."

While the Government are telling patients that they cannot get the care that they need, and while one in three health authorities is rationing, they are pouring money into the NHS bureaucracy. That is a scandal. The Government are saying, "We are putting more money into the NHS"—it is in their amendment, and no doubt the Secretary of State will talk about it. It is not how much money they are putting in; it is what they are spending it on. The doctors are right: the NHS needs more money for patient care, but every year the Government are siphoning off precious NHS resources. Hundreds of millions of pounds that should be going to patient care services are being put into the growing bureaucracy to run the internal market.

Mr. Rod Richards (Clwyd, North-West): Is the hon. Lady aware that if we were to guarantee accident and emergency admissions in every single hospital in the country, we would have to keep approximately 20 per cent. of our hospital beds vacant and that the resources to service the beds would have to be made available? Is she in favour of that?

Ms Harman: The hon. Member has referred to occupation levels. It is true that because so many patients are being crowded into so few beds, hospitals do not have the capacity to deal with sudden or temporary increases in emergency admissions. That is what happened this year—there was a temporary increase in emergency admissions. There were no safety margins—one in five hospital beds had been cut—and people had to wait for hours on trolleys.

It now costs an extra £1.5 billion every year in administration just to run the Government's NHS internal market. Of course it is important to have good management of patient care services, but that is not the sort of management that we have seen growing under the Tories. The Tories have not appointed managers who are dedicated to running clinical services; they have appointed thousands

of extra accountants and bureaucrats to run the internal market. There are managers to draw up annual contracts, managers to consider and approve extra-contractual referrals, managers to negotiate with general practitioner fundholder practice managers, managers to send out invoices, managers to query invoices and managers to deal with the managers who are querying the invoices.

Apparently, the NHS now needs no fewer than 70 different types of managers—not managers to run the patient services, not managers to get the best out of the people and the money in a large organisation, but managers to manage the market. There are sales managers, contract managers, business managers, marketing managers—the managers who manage the market have no connection with patient care, except that they are taking money away from patient care.

The NHS is tied up with red tape and it is bogged down in paperwork. For example, last year, my local hospitals—Guy's and St. Thomas's—had to process and send out 57,000 invoices to health authorities and GP fundholders. My local health authority, Lambeth, Southwark and Lewisham, is one of the health authorities to which the hospitals send their invoices. The madness of the Tory internal market means not only that Guy's and St. Thomas's have to appoint the managers to draw up and process 57,000 invoices and send them out to GPs and health authorities, but the health authority has to appoint managers to approve and process 26,000 invoices to buy health care for its local population from local hospitals. That is madness.

Extra-contractual referrals are just one of the costly, bureaucratic examples of the Tory market madness in the NHS. Patients can now be referred to hospitals only if the GP—if the GP is a fundholder—or the health authority, if the GP is a non-fundholder, has a contract. Otherwise patients have to get approval for an extra-contractual referral.

I shall give the House details of the recent case of a woman with back pain who was being treated by her GP. She had been to the local hospital, but it could not sort her out, so she went back to her GP, who decided to send her to the Royal National Orthopaedic hospital because the problem was serious and had been troubling her for some time. The GP had to apply to the health authority for approval for an extra-contractual referral and it took five months for that to be approved.

Five people were tied up in the red tape of processing the case, let us remember, of a woman being sent to a specialist by her GP because the local hospital could not help. The GP had to fill in forms and make telephone calls. The director of public health at the health authority had to fill in forms and make telephone calls. The administrators at the health authority and the administrators and the consultant at the Royal National Orthopaedic hospital had to waste their time and money, too.

The result was that the woman was given approval to go to the Royal National Orthopaedic hospital for £120-worth of consultation. That was the value placed on her treatment, but we calculate that the bureaucratic cost of seeking the approval, after all the procedures that had to be followed, was no less than £360. The treatment was worth only £120, yet the bureaucracy spent £360 to authorise it. If the Government cut the red tape and put the money into patient care, three patients could have been treated at the Royal National Orthopaedic hospital instead of lingering on waiting lists.

Mr. Dorrell *rose—*

Ms Harman: If the Secretary of State wishes to intervene, will he confirm that he will abolish the extra-contractual referral system, which we warned all along was wrong? Will he abolish it and put the £22 million that it costs every year into patient care? Will he admit that we were right and that the system was market madness?

Mr. Dorrell: The hon. Lady has accurately described the process of the extra-contractual referral system as it now is, but she has omitted to mention that I announced a month ago that it will be simplified.

Ms Harman: I know well the announcement that the Secretary of State made a month ago. I read the document, which has the catchy title "Seeing the wood, sparing the trees"—it emanates not from the Ministry of Agriculture, Fisheries and Food, but from the national health service executive. I have examined carefully what the Secretary of State plans to do with extra-contractual referrals. He seeks not extra-contractual referrals, but compliance with a protocol: it is the same market madness. Until the Secretary of State recognises that he cannot run the service through the market, he will continue to pour hundreds of millions of pounds into bureaucracy that should go into patient services.

The Government are seeking protocol compliance instead of extra-contractual referral approvals. But it will make no difference: it will still tie up GPs, hospital consultants and those in the health authority. However, instead of ECRs, it will be protocol compliance. That is nonsense.

Mr. Dorrell: You don't understand it.

Ms Harman: We understood it when the White Paper was put before the House. We predicted what would happen, and it has.

Mr. Dorrell: The hon. Lady responded to my challenge when I said that she did not understand it. She cannot understand it if she claims that the health authority will still be involved in the approval of ECRs. That is what we are abolishing.

Ms Harman: Health authorities will be involved in drawing up the protocol and establishing compliance with it. They are specifically included in the protocol requirements with which GPs must conform. It is not me, but the Secretary of State, who does not understand how the system will work.

It cannot be right that, while more managers are being appointed to run the internal market, the number of nurses on the wards is being cut. There are now 20,000 more managers in the NHS than there were five years ago. At the same time, there are 50,000 fewer nurses on the wards. That means that there are more people to count the cost of care and fewer people to provide it. The expenditure

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of public money must command public support. The public do not want to see money drained from their front-line services into bureaucracy.

There is no point in the Secretary of State saying that he will reduce the number of managers and that he is "bureau-sceptic". His Government created the internal market and that system demands bureaucracy. Until he scraps the market, the demands for red tape will grow and grow. The administrative costs of the NHS have soared from £2 billion to £4 billion in the past 10 years. But that is only the beginning, because the market is still in its infancy. Only half of GPs are fundholders. If the Government were to take forward their plans and all GPs were to become fundholders, administration costs would double.

A hospital that is quoted in the Secretary of State's report complains that it must have 900 separate annual contracts with 900 different fundholders. If the Tories got into office again, that hospital would have 2,000 fundholders and 2,000 separate annual contracts. It would have to send out hundreds of thousands of invoices every year.

As I predicted, the Secretary of State has said that his recent efficiency scrutiny report will reduce bureaucracy in the NHS. However, the savings that he purports to announce do not exist—they are wishful thinking. It is an inescapable fact that his system—the internal market—drains £1.5 billion a year from patient care into bureaucracy. The Government cannot scrap the bureaucracy because they will not scrap the internal market. They will not do what the people want: cut the red tape and put the money into patient care.

The provision of public services must command public support. Public services must provide what people want and people's expectations will change over time. Labour will renew the NHS. We will strip out the market, strip away the bureaucracy and put the money into patient care. We will also recognise changes in people's lives and in their aspirations. People want services that fit in with their lives—they do not want to reorganise their lives around service provision. People do not want to have to wait and then receive an appointment card through the post—which probably arrives while they are on holiday—telling them when it is convenient for the NHS to treat them.

Last year 5 million patients did not turn up for out-patient appointments—the technical term is "Do Not Attends". Those 5 million people received appointments without being asked whether they could make them and they were unable to cancel them. People receive appointment cards through the post—at last notifying them of the date of their appointment—but if they try to contact the service provider they may get an answerphone or they may be referred to someone else. Therefore, they are unable to cancel their appointments.

People want to book a time for treatment that fits in with what is going on in their lives. It should not be a matter of waiting until a person is told when his or her hernia operation will be done. People should be able to choose the time so that an operation interferes with their work or family arrangements as little as possible. People want a say in where, when and how they are treated. They do not want to wait. The private sector knows that, which is why the newspapers and our letter boxes are full of invitations to go private.

The advertisements say, "The NHS makes you wait. You don't want to wait and you don't have to wait—go private". The system then becomes more unfair and more expensive. Those who can afford it, go private—many of them reluctantly. Those who cannot afford it are left using a service that inexorably becomes a poor service for the poor. Any service that is used exclusively by those who have no other choice is doomed to decline. A public service cannot thrive on a captive audience. While more and more people become refugees out of the NHS, those who cannot afford to pay to go private are left behind. They are not grateful, but resentful because they cannot get the care that they need promptly. People should not have to pay to go private: they should get what they need on the NHS. The Government should cut the waste and cut the waiting. They will not, but Labour will.

The choice before the country is clear: a struggling NHS that is being stripped back to a safety net under the Tories or a one-nation NHS that is renewed as a public service under Labour. The British people want Labour's future for the NHS. That is one of the many reasons why Labour must become the Government after the next election.

Madam Deputy Speaker: For the convenience of the House, I inform hon. Members that Madam Speaker has decided that there shall be a 10-minute limit on speeches between the hours of 7 pm and 9 pm.

5.7 pm

The Secretary of State for Health (Mr. Stephen Dorrell): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'congratulates the staff of the National Health Service for providing high quality care to a record number of patients, and notes that their achievements have been underpinned by the Government's unique commitment to increasing National Health Service funding, which has meant an extra £9.5 billion since 1992, and is dismayed that the Opposition proposals put ideology before patients, in particular by removing the option of fundholding from the 50 per cent. of general practitioners who have decided that this system offers the best prospect for their patients.'.

This afternoon, the House has witnessed yet again a spectacle with which we have become depressingly familiar during health debates. The hon. Member for Peckham (Ms Harman) had time to set out clear answers to the questions that many people within and outside the national health service are asking about the Labour party's future policies for the NHS.

What are the hon. Lady's answers to the questions about the future of primary care? What are her answers to the questions about the future of mental health care and cancer care? How would she organise training and research within the national health service? How would she address the questions of clinical effectiveness that are at the core of modern health care delivery?

The most important question from the British Medical Association this week is how much money Labour would put into the national health service. Will Labour give a commitment to deliver more than an average of 3 per cent. growth in real terms over 17 years? That is what we have done since 1979. Will Labour commit itself to matching our funding record for the national health service?

Ms Harman: When the Secretary of State mentions the increase in resources that he has taken from the public

purse and put into the NHS, will he say how much of that figure he has siphoned away into bureaucracy? Will he confirm that, in one year, 50 per cent. of the extra resources in the NHS were siphoned off and never went anywhere near patient care?

Mr. Dorrell: The hon. Lady had better contain her patience, as I have quite a lot to say about the internal market and administrative costs. I shall come to that in the fullness of time.

When I gave way to the hon. Lady, she dodged the question about how much money Labour in government would provide the NHS. The House and the country will understand that, in one speech, the hon. Lady cannot cover all those questions, but it is depressing that she did not touch on a single one of them. That is something that neither I nor the country will understand. No wonder the Leader of the Opposition is already returning to the charge of postponing the shadow Cabinet elections. We see in today's edition of *The Daily Telegraph* that the Labour Whips have told the Leader of the Opposition that the party's health spokesman faces a humiliating defeat and that she could receive as few as 40 votes. We know that the right hon. Gentleman is loyal to the hon. Lady. Nobody could accuse him of being anything other than very loyal—indeed, almost touchingly and sentimentally loyal—to the hon. Lady. He talks a lot about middle-class insecurity. He seems to see the hon. Lady as an important element in meeting the concerns about middle-class insecurity.

My sympathies are with Opposition Back Benchers, because from their cradles they have been brought up to believe that the NHS is home ground for Labour. They are used to losing arguments on defence. Indeed, they do not remember winning an argument on defence. They are used to losing arguments on the economy. They are not very interested in wealth creation. They are used to losing arguments on law and order, because they know that they voted against all the effective measures. What they cannot forgive the hon. Lady is that they are now losing arguments on health within the NHS and the country as well.

To my hon. Friends I say spare a thought for Labour Back Benchers in their predicament. Here we are in a pre-election year, and the Labour leader, last week, went to a major health service conference to deliver a much trumpeted speech, which was said to set out Labour's agenda for the future of the NHS. How was that speech received the following day? *The Independent* devoted its whole editorial to an assessment of the Labour leader's speech.

Mr. Ken Purchase (Wolverhampton, North–East): It did not mention you.

Mr. Dorrell: It did not mention me that day because I had not yet spoken.

Under the heading "Labour on health: an acute case of evasion", the editorial said:

"not a great deal was to be expected of Tony Blair's keynote speech on health yesterday. In the event, even less was offered."

Mr. Henry McLeish (Fife, Central): How was it received?

Mr. Dorrell: It was received as a failure by *The Independent*. Let me quote further. *[Interruption.]* The doctors were not there in huge numbers, either. It was primarily a conference of health authorities and trust managers. *[Interruption.]*

Madam Deputy Speaker: Order. There are too many sedentary interventions, particularly from hon. Members on the Front Benches. I expect Front Benchers in particular to set a good example.

Mr. Dorrell: The editorial continued:

"professionally, organisationally and morally the health service is in remarkably fine fettle. To suggest otherwise, as Labour may well do, is to play into the hands of those merchants of social policy apocalypse who are willing us into a crisis that does not and need not exist".

I do not agree with everything that *The Independent* writes, but I agree whole-heartedly with that.

Mr. Robert Ainsworth (Coventry, North–East): If the Secretary of State wants to know what is depressingly familiar, and if he is genuinely concerned about Opposition Back Benchers, he will be aware that our speeches will be limited to 10 minutes. He has spoken for seven minutes and has not said a word about the NHS or about his Government's record over the past 17 years. Will he please get on to the subject at some point?

Mr. Dorrell: I can well understand the hon. Gentleman's sensitivity when his leader's speech on Labour's home subject is received as badly as that by *The Independent*.

The person responsible for that policy failure is the hon. Member for Peckham. I shall go through some of the themes that she developed in her speech—they are familiar Harman themes—and analyse precisely what they mean. Let us begin with the slogan "Labour would abolish the internal market". I want to be clear about what the phrase "the internal market" means. We have a system under the reformed health service where we do not fund hospitals and health providers directly. We fund them through purchasers. We fund those purchasers in turn on the basis of need through a weighted capitation formula.

Mr. McLeish: Massive bureaucracy.

Mr. Dorrell: I remind the hon. Gentleman that his party is committed to maintaining precisely that structure.

Health authorities are in turn free to commission care from individual trusts and other providers of health care in a way that reflects local need and the views of general practitioners, both fundholding and non-fundholding, including commissioning. The market, in so far as an internal market exists in the NHS—it is a phrase of which the hon. Lady is fond—exists because the purchasers control the money into the system and are free to decide which providers in the health service meet the needs that they identify.

Mr. Richard Burden (Birmingham, Northfield): Will the Secretary of State give way?

Mr. Don Touhig (Islwyn): Will the Secretary of State give way?

Mr. Dorrell: No. This is an important point. I want to develop it; then I shall give way.

[Mr. Dorrell]

That is the sense in which there is a market. Funded purchasers are free to decide where they commission care. The health service wants to know which elements of that system the Labour party would change if it were given the opportunity. The policy document that it issued last summer was absolutely clear on this matter: it would not change the separation between purchase and provision. It said clearly:

"We want health authorities to commission care, but we do not want them to run hospitals on a day-to-day basis."

So the Labour party maintains the distinction between purchaser and provider. Furthermore, the policy document was also clear that purchasers would be free to choose where they placed their commissioning arrangements.

Mr. Touhig *rose—*

Mr. Dorrell: I said that I shall give way in a moment. I want to develop this argument.

Again I quote:

"Health authorities will have agreements with different local health services and will have choice as to where to place them to suit patient needs."

Last summer, Labour was committed to maintaining both key elements of what the hon. Lady describes as the internal market.

Not more than a fortnight ago, the hon. Lady went to the Institute of Health Services Management to deliver a speech. A passage of her speech was headed "Abolishing the Market", so I was interested to read it to understand precisely which of the two building blocks of the market she would strike away. Would it be the separation of purchase and provision, or would it be the freedom of purchasers to choose where they commissioned care? Her speech was clear in answer to the first question. She—no more than her predecessor—is not in favour of abolishing the distinction between purchase and provision. She said:

"The planning of health services and the delivery of health care are distinct responsibilities. They will be kept separate."

That could not be clearer. But what is very much less clear to me, and I suggest it should be to the hon. Member for Islwyn (Mr. Touhig) if he reads the six-paragraph section on abolishing the market, is how maintaining the purchase and provision system that we have established— *[Interruption.]* I am quite prepared to amend the terms to planning and commissioning, as the distinction between them is not very different. In what sense does that deliver abolition of the market?

The question that the hon. Lady did not answer in her speech to the IHSM was whether she maintains the second commitment made by her predecessor, in regard to the planning of health authority functions. Would health authorities be free to choose, in the interests of local people, where they commissioned their health care? If the answer is yes, there would be no change in the present internal structure of the health service; if the answer is no, there is a fundamental change. In that event, the hon. Lady would indeed be abolishing the internal market. We are entitled to know whether that is the policy that Labour would pursue.

The question to the hon. Lady is extremely simple: would Labour abolish health authorities' right to choose the commissioner that satisfied the needs that they have identified, or not? I am happy to give way to the hon. Lady, so that she can clarify whether Labour would abolish that freedom to choose.

Ms Harman: The Secretary of State has involved himself in an administrative confusion. In my speech, I gave the example of a woman with back pain. She had used the service of her local hospital, to which she would have been referred by her GP. If she cannot be dealt with in that hospital, her GP will refer her to the Royal National Orthopaedic hospital. She will either use her local services—if she and her GP decide that they should start her care—or be referred to a specialist hospital. The patient and her GP, not some bureaucracy, will decide.

Yes, there are distinct and separate functions. That seemed to confuse the Secretary of State. He says that on the one hand there is responsibility for the day-to-day running of services in the hospital, and on the other hand there is responsibility for assessing the health needs of the local population and planning and shaping services to deliver longer-term improvements. Those are simple functions, but it might help the right hon. Gentleman to concentrate on our view—with which we have been consistent throughout—that the decision on where a patient should go is not a commissioning decision, but a decision to be made by the patient and his or her GP.

Mr. Dorrell: That argument has two fundamental flaws. First, many aspects of health care are not the subject of GP referral. The hon. Lady has not told us who decides where provision is commissioned when there is no GP referral. Secondly, she has said that the health authority is responsible for planning the pattern of health care provision, but if the GP has absolute freedom of referral without any reference to the health authority's planning, there is no connection between the planning and the referral.

The hon. Lady has not made clear the means by which health authorities discharge their obligation to ensure that health provision in a particular district meets the need that they have identified. That is the question that she must answer. Are health authorities free to choose the hospitals from which they commission, or not? The hon. Lady has avoided that question again.

Mr. Touhig: I am very interested in what the Secretary of State has been saying about commissioning and the market. Would he care to comment on Gwent health commission's decision to market-test the care of the terminally ill? The main provider of that care is a local charity which spent £10,000 on its tender bid, only for the commission to abandon the whole procedure halfway through. Is that a sensible use of resources and planning?

Mr. Dorrell: Any health commission that is deciding which services best meet the needs of its patients should be free to look at alternative providers, whether, in the case of terminal care, the provider is a charity-funded hospice or part of the NHS. The principle that a health authority should be free to choose where to commission care is a fundamental part of good management, and I do not resile from it.

Mr. Burden: The Secretary of State said earlier that health purchasers should be free to purchase care for their local populations with resources given to them on the

basis of need. Last year, the right hon. Gentleman promised health authorities a 1.1 per cent. increase. Birmingham was given an increase of 0.5 per cent.; rather surprisingly, Huntingdon was given a 1.7 per cent. increase, despite being shown to have one of the highest levels of bureaucracy in the country. Is the right hon. Gentleman saying that Huntingdon's health care needs are greater than those of Birmingham?

Mr. Dorrell: As the hon. Gentleman knows, I am simply saying that there is a formula determining the distribution of resources—a need-based formula, devised for us in the university of York. The hon. Member for York (Mr. Bayley) knows very well how that formula evolved. If the hon. Member for Birmingham, Northfield (Mr. Burden) knows of a better way of channelling resources to different health authorities, reflecting both population and need, we shall be happy to hear from him. As the House knows, we allow the system to evolve every year.

Mr. Hugh Bayley (York): Will the Secretary of State give way?

Mr. Dorrell: I will give way to the hon. Gentleman, but I must then make progress.

Mr. Bayley: The Secretary of State did not acknowledge that the Government refused to implement the independently determined formula. Instead, they amended it in order to shift resources from the north to the south, and from inner cities to shire counties.

As the right hon. Gentleman is having difficulty in understanding the difference between Labour and Conservative policy on the NHS internal market, may I give him a practical example? My constituency contains an extremely large fundholding practice with 20,000 patients. That practice decided to shift its contract for community health services from one trust to another, believing that that would improve services for its patients. Its action greatly weakened the services of the trust that it had formerly used, and the level of community health service support for all the other GPs in York declined as a result.

The difference between Labour and Conservative policy is that the Conservative party's free market approach allows such dog-eat-dog developments, while the Labour approach of commissioning would make one general practice deal with another and reach agreement on the best pattern of local services.

Mr. Dorrell: Not for the first time, the hon. Gentleman had better clear his line with his hon. Friend the Member for Peckham. Only a few minutes ago, the hon. Lady was saying that, under her system, GPs would have absolute freedom to decide where patients were referred. It is essential to focusing on the delivery of high-quality care for those responsible for fashioning the pattern of provision to do so in the way that is dictated by the interests of the patients for whom they are responsible. That is the merit of the fundholding system.

Let me give the last word on the merits, or otherwise, of the system that we have introduced, which grants health authorities greater freedom to decide where to commission care. That last word should, perhaps, go to Lord Winston, a Labour spokesman in another place. According to him,

"The internal market has resulted in many hospitals improving outpatient facilities, improving comfort for patients, improving waiting times in clinics and in some cases improving waiting lists."—[*Official Report, House of Lords, 26 February 1996*; Vol. 569, c. 1460.]

There is no doubt that that has happened. That is the case for the internal market, which the hon. Lady is committed to abolishing—or so she says; she cannot substantiate the commitment.

Another issue which the hon. Lady is fond of discussing is that of administrative costs. We have heard more from her on that subject today. Both she and the Leader of the Opposition are fond of referring to what *The Independent*, in that same editorial, described as a "golden stream" of resources available from administrative savings.

The hon. Lady's problem is the same as that of the Leader of the Opposition: no one believes them, for very good reasons. It is the original political mirage. The hon. Lady says that we do not need to provide extra resources; we can secure all the resources through administrative savings.

Mr. Purchase: The Government have been saying that for years.

Mr. Dorrell: We have not. We have delivered growing resources to the NHS and a more efficiently managed health service for more than 17 years, because benefits to patients are our driving consideration.

The right hon. Member for Derby, South (Mrs. Beckett), who was the predecessor of the hon. Member for Peckham as Labour's health spokesperson, was clear about NHS management. On 19 February 1995, she said on "The World This Weekend":

"I don't think it's really in question any more that the NHS has been undermanaged in the past."

What would Labour do about ensuring that the NHS of the future is efficiently managed? The hon. Member for Peckham is fond of talking in general terms of saving £1.5 billion in administrative costs, and she did so again today, but that proposition is absurd.

Ms Harman *indicated dissent.*

Mr. Dorrell: The hon. Lady denies saying that. I will quote her verbatim from an interview which she gave on 20 June, not long ago:

"As we have said, we think the overall figure is somewhere between £1.4 billion and £1.7 billion."

The hon. Lady says that is the extent of the resources that will be available to expand provision. How would Labour deliver remotely that sum of money?

Ms Harman: We have said, and we stick by this claim—the Government's figures and independent estimates support this—that it costs an extra £1.5 billion every year in administrative costs to run the market. If one abolishes the annual contracting round, all the people needed to negotiate contracts will no longer be required. If fundholding is replaced with GP commissioning, hundreds of thousands of invoices will not have to be processed by managers. When there is freedom of referral and patient choice instead of the bureaucracy of extra-contractual referral, there will be no need for all that paperwork. Chris Ham said on the "Today" programme:

"They can release hundreds of millions of pounds from the internal market and put it into patient care."

Mr. Dorrell: The hon. Lady has been more precise than Chris Ham. She claimed that she will release £1.5 billion. The House must assess the plausibility of that claim, remembering that total NHS expenditure on general and senior managers, and on administrative and clerical staff in 1994-95, was £2.4 billion.

Ms Harman: That is M2.

Mr. Dorrell: No, that figure is a lot more than M2. It relates to all administrative and clerical salaries in the NHS. The hon. Lady claims that she can save almost exactly 60 per cent. of total spend. I invite the House to test that claim against basic plausibility. Does anyone believe that the hon. Lady, by taking over my job, can release 60 per cent. of the health service's administrative costs? In the interview that I quoted earlier, Nick Ross asked the hon. Member for Peckham to demonstrate how she would set about releasing 60 per cent. of NHS administrative costs. She started with an example involving £20 million. She may have identified one saving of £20 million, and I assume that was not the smallest that the hon. Lady could think of—it was probably one of the largest. The hon. Lady must find another 74 examples to get near her target of savings of £1.5 billion.

Mr. Eric Martlew (Carlisle): In 1977, Cumbria had one health authority and the only salary paid was £2,000, to the chairman of that quango. Today, Cumbria has two health authorities and seven trusts at a cost of £332,000. Is that money not spent on bureaucracy?

Mr. Dorrell: The hon. Gentleman is wrong in several respects. In 1977, every part of the country was covered by a general practitioner committee, health authority, area health authority and regional health authority. [HON. MEMBERS: "No."] Labour Members may deny that that happened, but in 1977, every part of the country was within a health region, area and district—and was also covered by a family practitioner committee. Another problem for the hon. Member for Fife, Central (Mr. McLeish) is that Labour is committed to maintaining the distinction between health authorities and health providers.

Two other factors make the Opposition's claim of £1.5 billion savings wholly absurd. One of the big administrative savings which we made in recent years was from the abolition of regional health authorities—which Labour voted against. Removing that unnecessary tier produced savings of £100 million. The £2.4 billion spent on administration accounts for 7.5 per cent. of the NHS total spend. How much does the hon. Lady intend to save from that sum? I have already committed the Government to a programme of administrative savings to reduce administrative costs by £300 million, which is 1 per cent. of the total. If the hon. Lady thinks that she can go beyond that, she owes it to the House and to the country to explain how.

Mr. Simon Hughes (Southwark and Bermondsey): NHS consultants, the Royal College of Nursing, the British Medical Association and family doctors, apart from asserting that the money spent on administration is a misuse of resources, complain about the impact of the paperwork and bureaucracy brought about by the 1990 Act. Does the Secretary of State say that they are wrong? Does he accept those complaints, and will he do something to meet those serious concerns—which are driving many people out of the profession?

Mr. Dorrell: I have implemented the recommendations of two efficiency scrutinies which were designed to reduce unnecessary administrative processes. When the Leader of the Opposition addressed the National Association of Health Authorities and Trusts last week, he acknowledged that nowhere in the health service was there an appetite for further fundamental administrative reform, which is why I am confident that Labour would not deliver the pledge that it is fond of making, to abolish the internal market. I am confident, because when Labour Members are asked to demonstrate how they would do that, they never can.

Another question for which we await an answer from Labour Front Benchers relates to fundholding, which has troubled them ever since fundholding was established. The policy background is clear. More than one half of GPs have opted into fundholding because they believe that it delivers the best prospect of care for their patients. [HON. MEMBERS: "No."] Labour Members must ask GPs what other purpose they had. If GPs do not believe that fundholding offers the best prospects of improving patient care, one must inquire why they made that choice.

Mr. Kevin Barron (Rother Valley): What about the Audit Commission?

Mr. Dorrell: The Audit Commission recently examined fundholding, and its director was asked about its report. He said on radio:

"Most fundholders have . . . produced some benefits for patients and 10 per cent. of fundholders have done very well indeed."

Given that 10 per cent. of fundholders have done well and all fundholders have produced some benefits, what is the proper response? We are clear that the right way forward is to level up. Where 10 per cent. of fundholders have led, we should encourage and ensure that others follow, to deliver the same benefits to their patients. Fundholding and the system that lies behind it are a ratchet to improve standards and efficiency. Labour takes a different approach. I want a precise answer to this question.

Does the hon. Member for Fife, Central speak directly and with authority for Labour on the subject of fundholding? On 6 March, he went to Guildford—to the South Thames Fundholders Association—and, to that assembly, committed a Labour Government to abolish fundholding. His words were:

"Fundholding will end on 31 March 1998",

the year after an election, assuming that it would take place next spring. He went on to say:

"The Audit Commission has shown that fundholding managers have not achieved anything worth saving. They will go."

Is that true? The hon. Gentleman said that fundholding managers will go?

Mr. McLeish *indicated dissent.*

Mr. Dorrell: So it is not the Labour party's policy to abolish fundholding? We cannot run fundholding without

fundholding managers. Will they go or will they not? They are real people with real jobs. They are entitled to know whether the Labour party will sustain them in jobs. Will they go or will they not go? What is the answer to that question? We are entitled to know. I give way to the hon. Member for Peckham or to the hon. Member for Fife, Central.

Ms Harman: I have said that we will replace GP fundholding with GP commissioning. We will do that not only because GP fundholding is unfair, part of a two-tier system, and because it makes it impossible to plan improvements across a locality, but because it costs hundreds of millions of pounds in bureaucracy and provides no extra benefit for patients.

If there is a simple choice between employment of more practice managers or administrators to support practice managers and more health visitors or midwives—that is, in fact, the choice—we will choose to put cash into front-line patient services. We will not, as the Secretary of State is doing, champion mountain upon mountainous layer of extra bureaucracy. How on earth can he justify that?

Mr. Dorrell: No one can say that I have not given the hon. Lady an opportunity to clarify the policy. The hon. Member for Fife, Central was clear: he said that fundholding would end. The hon. Lady has refused to endorse that policy. If the hon. Gentleman wishes to remove any doubt, I shall give way.

Mr. McLeish: I am very happy to put the record straight. With his experience, the Secretary of State should be a bit wiser in the material that he uses. The simple fact is that, after addressing a group of south Thames fundholders at their invitation, three of the fundholders—whom I regard as enthusiastic fundholders—provided copy to the periodical to which he referred.

All the comments which were made were complete and utter lies. I cannot say anything more to put the record straight. They were made deliberately to achieve that in which the Secretary of State is indulging. I regret that, but I hope that I have put him straight on the record. I tell him sincerely that those comments and ideas attributed to me were not simply wrong; they were untruths.

Mr. Dorrell: I accept that the hon. Gentleman was not accurately reported in that meeting, which, in itself, is not the most important issue in the world. What is important is for those who work in the fundholding system to know whether Labour would end fundholding. We still do not have an answer.

Ms Harman: Yes.

Mr. Dorrell: In that case, why is the hon. Member for Fife, Central at such pains to deny that he defended Labour policy to the south Thames fundholders? It is true or is it not true?

Mr. McLeish: I expect a great deal more from a struggling Secretary of State. We are replacing fundholding. Read my lips: we are replacing fundholding. I said that the comments to which he referred were simply untruths passed on from a meeting. That is the important distinction which he must draw. I hope that the Secretary of State will control his worst excesses and apply himself to the facts. We will replace fundholding.

Mr. Dorrell: I understand what happened at the Thames meeting. I am simply picking up on the question of the word "end". I asked whether the Labour party would end fundholding.

Ms Harman: Yes.

Mr. Dorrell: Again the hon. Member for Peckham says, "Yes." Why is it that the hon. Member for Fife, Central leaps to his feet to deny that he used the word "end" when he went to the south Thames meeting on 6 March? The truth is that Labour Front Benchers have not agreed among themselves—still less have they agreed with anyone else in their party—what their policy is, and that is true not only on the fundholding issue.

The same problem exists on the private finance initiative, which is an absolutely key issue for the NHS. The PFI offers the health service the prospect of escape from a system of capital planning of which it has been a prisoner since the day it was established. The PFI offers escape from short-termism. The Leader of the Opposition understands that. He said:

"The PFI is right in principle."

That may be the only matter on which he agrees with the right hon. Member for Kingston upon Hull, East (Mr. Prescott), who claims paternity of the PFI.

So the senior people in the Labour party are quite clear where they stand on the PFI—they are in favour of it. The hon. Member for Rother Valley (Mr. Barron) is also in favour of it; he is another member of this "team". He said:

"We do not disagree with the PFI. How could we? . . . It was Labour who first thought of partnerships between the public and private sector."

I am not sure that the idea of partnerships between the public and private sector did not antedate the foundation of the Labour party, if truth be told.

The hon. Member for Rother Valley is keen to be on the record as supporting the PFI. He is a shrewd fellow and clearly thinks that it is more important to his career to be close to the Leader of the Opposition than to be close to his boss on the Front-Bench team—because the hon. Member for Peckham does not support the PFI. His boss on the Front-Bench team takes a distinctively different view of it. She said that the PFI was

"a new trick to privatise the Health Service."

She also said:

"I don't call it the Private Finance Initiative, I call it a privatisation initiative."

We are entitled to know which of these various stars among Labour Front Benchers speak for the Labour party on health. They speak with different voices on different days to different audiences.

Mr. Barron: What does the right hon. Gentleman think?

Mr. Dorrell: I will tell the hon. Gentleman exactly what I think about the PFI. I think that it is the best opportunity that the health service has to ensure that it

[Mr. Dorrell]

escapes from capital short-term planning and delivers the modern equipment and buildings that we need to ensure that the NHS meets the challenges of the next century.

The hon. Member for Peckham has an opportunity to tell us her position. We do not ask her to take the opportunity today, but we ask her to take it tomorrow. I understand that she will go to talk to Unison tomorrow on the PFI. Unison's position on the PFI seems pretty clear from this advertisement, which states:

"PFI: the biggest threat to your health since 1947."

It has even designed a logo to encapsulate the message, which states:

"Unison says no to private finance."

The hon. Lady has to decide before the meeting—at 12.30 pm tomorrow, at the Cumberland hotel—whether she is on the Unison side of that argument or on the side of the Leader of the Opposition and the hon. Member for Rother Valley. The health service needs to know the answer to that.

I conclude with a little advice to the hon. Member for Peckham. She would do well to back the Leader of the Opposition. In my humble opinion, the right hon. Member for Sedgefield (Mr. Blair) remains her best and only hope, because the fact is that Labour's health policy is a shambles. Labour Members have a slogan on the internal market, but they have absolutely no substance to back it up. They have no idea what they would do about fundholding. They have no idea what they will do about the PFI. Their policy on resources on health relies on a non-existent El Dorado.

The hon. Member for Peckham survives by the indulgence of the right hon. Member for Sedgefield, who demeans himself and his party by his unwillingness to face even one of the real issues facing the NHS. Where there should be substance, there is a vacuum. His speech to NAHAT last week was as trivial as it was content-free. Even the high spots last week were not so much soundbites as soundnibbles.

The right hon. Member for Sedgefield has done the hon. Member for Peckham a favour by organising this debate on the night of the biggest football match of the year so far, so that she can conduct it in decent obscurity. But he cannot protect her for very much longer. Sooner or later her failure will be exposed, as the voters realise that it is the Tories who deliver on the national health service.

5.48 pm

Mrs. Audrey Wise (Preston): I want to raise two major points in the time available to me. One relates to fragmentation and the lack of co-ordination and the other to the bureaucratic nonsense of so many of the so-called activity and efficiency measures introduced by the Government.

I shall start with the latter, but before doing so I want to comment on the remark made by the hon. Member for Clwyd, North-West (Mr. Richards) about emergency admissions. He seemed surprised to find that we expect beds to be available for emergency admissions. I expect beds to be available and vacant, as needed, for emergency admissions, and I expect fire engines and ambulances to be standing waiting just in case I have a heart attack or there is a fire at my home. I am obviously grossly extravagant in my expectations, but I can tell the hon. Gentleman that those expectations are shared by the overwhelming majority of the population.

The problems with bureaucracy go back a long time. One of its major manifestations is compulsory competitive tendering. CCT does not necessarily lead to the best value being obtained, but rather to trouble and expense being incurred in obtaining normal services.

Although I am on good terms with my local district general hospital and although I believe that those managing it are doing their level best in difficult circumstances, I want to give a small critical example of the sort of problem that arises. Cleaning is obviously basic in a hospital. A constituent drew my attention to a lack of cleanliness at the Royal Preston hospital at the turn of the year. I was very concerned about that. I had been a patient in the hospital, but before CCT was introduced. I can tell the Secretary of State that the hospital was sparkling then.

I investigated the problem and it was confirmed that there were difficulties. The chief executive said:

"The problem relating to the cleanliness of the wards relates to difficulties encountered by the contractors in maintaining sufficient staff on the wards."

I wrote asking whether the contractors did not pay adequate wages. I was told that they paid the same wages as were usual and that any recruitment difficulties experienced from time to time were more to do with the local labour market.

I know that many, many people in Preston are desperate for work. I do not believe that good employers cannot obtain staff for a job that is not unpopular. As cleaning jobs go, cleaning a hospital is regarded as very useful work that carries with it some sort of standing in the community. It is not a rubbish job—or it should not be. It is an essential job.

I was told by the chief executive:

"A meeting is to be held shortly with the director of the company with an expectation that the problems will be overcome."

The problem with that is that the meeting was scheduled to take place three months after the identification of the problem of lack of cleanliness. Three months is a long time to have cleaning problems in a hospital. That sort of problem arises not because of any inefficiency by the chief executive, but because he no longer runs the show. Other people employ those who are performing that essential service in the hospital. That does not lead to good management.

I can tell the Secretary of State that I know of cases—not in the Royal Preston, but elsewhere—of apparent savings in supplies contracting. The only problem has been that the search for and the delay while waiting to identify those minuscule savings have more than swallowed up several years' cumulative savings. Again, that is not such a good idea.

Finished consultant episodes are now a measure of activity or efficiency in the NHS. I do not believe that they measure either of those—they certainly do not measure efficiency. Indeed, I have recently learnt that they do not even measure activity. Gimmicks or ruses are employed so that a hospital can show a massive increase in its activity through finished consultant episodes. It is very easy—the hospital simply discharges patients to whom previously it would have said, "Come back next

month." It now says, "Go to your general practitioner." The GP then refers the patient back to the hospital, but it counts as a new consultant episode. The hospital can then say that far more people are being treated. Finished consultant episodes do not equate to people being treated. That should be lesson No. 1 for any Secretary of State who wants to get real efficiency in the NHS. Some of the effort put into accountants chasing pieces of paper should be put into finding sensible measures of outcome in the NHS and treatment for patients.

I want to refer to the lack of co-ordination, especially in relation to child health. A report was published 20 years ago, having been commissioned by the then Government. It was one of the rare excursions by the powers that be into children's health—a subject that has been grossly neglected by the House and by successive Governments. However, 20 years ago the then Labour Government published the Court report, the essential plank of which was that there needed to be more co-ordination in the provision of a children's health service. We still do not have a children's health service. In fact, if any hon. Member cares to consult any voluntary organisation, I can promise that the story that that hon. Member will be told will be one of fragmentation, competition, lack of communication and general chaos, which in my opinion is not too strong a word to use.

It is deplorable that there should be quarrels between health services, social services and education services about who pays for what, while the children go without. A sensible Government would give more than a steer on who pays for speech therapy, for instance, instead of allowing it to be shunted between local education authorities and health authorities, while the children go without. I would not mind if the argument were being conducted on the side, at the same time as provision was being made, although I would still think that they should not put too much time and effort into the arguments. However, the children go without while the squabbles continue.

I am sure that, in general, voluntary organisations would echo an organisation called Aid for Children with Tracheostomies. It complains bitterly about difficulties in obtaining essential equipment, disposable supplies and respite care. All those are needed for children who are being nursed in the community, which is a growing trend. Along with that growing trend should go a growing provision of essential equipment, disposable supplies and respite care; otherwise, the children are being short-changed. Indeed, I do believe that children and their parents are being short-changed.

Respite care at home is a very good idea. Unfortunately, it is difficult to organise. It is hard to understand that because keeping a child in hospital for one night costs about £150, apart from any treatment costs. I am reliably informed that full respite nursing care for the equivalent period would cost £80—a saving of £70. One would think that all authorities would be queuing up to provide respite care at home, but no money for such care appears to have been built into the community nursing service budget. Therefore, a liaison nurse—assuming that there is one, which is quite a big assumption in some places—has to approach a GP and request that the GP puts in a bid for health authority funding.

My hon. Friend the Member for Peckham (Ms Harman) cited examples of bids being made for extra-contractual referrals. I am not too happy about the fact that a community nursing service may think that respite care is needed for a child at home, but can arrange it only through a GP, who must bid—which presumably means that it may or may not be granted—for something that is not only better but cheaper. Despite that, the Government tell us that they know how to run the national health service.

There is a lack not only of respite care at home but of a community children's nursing service. Not only are children in hospital still as likely to be nursed in adult wards as they are in children's wards, but when they are discharged for continuing care at home, there is a 50:50 chance of there being no community children's nursing service in their area. That means that their care is not supervised by qualified children's nurses.

For the benefit of Ministers' education—if they will spare time from their conversation and listen—I should point out that it is a prime tenet of children's medicine that children are not simply small adults. They require very specialist care, yet in 50 per cent. of the country there is no community children's nursing service and only 10 per cent. of the country has a 24-hour children's community nursing service.

Children are increasingly being discharged to their homes when they still need quite elaborate care, which is undertaken by parents. Parents are entitled to proper back-up, supervision and, indeed, nursing services, but they are being exploited; gross advantage is being taken of their keenness to have their children at home. It is no part of a parent's duty to undertake, for example, procedures such as passing nasogastric tubes, yet in our constituencies a person may be expected to do that as the price for having their child at home instead of in hospital, which is entirely wrong.

I am astonished at the complacency to which we have been treated by the Secretary of State, who thinks that the Conservatives deliver health care and protect the national health service. If he were a sick child or a parent of a sick child, he would be a good deal less complacent.

Mr. Michael Fabricant (Mid–Staffordshire): Does the hon. Lady recall that, when the Labour party was in power in 1977, it cut nurses' pay? Does she recall that in 1978 and 1979, sheets in hospitals—yes, including in children's hospitals—were not being cleaned because of the winter of discontent? Is that the legacy of which she is so proud?

Mrs. Wise: If the hon. Gentleman chatted with any nurse in his area, he would find that a different comparison would be drawn. Nurses may not be going on strike collectively, but they are doing so individually by leaving the service. Has the hon. Gentleman ever chatted to a nurse and had that nurse tell him about the times when she has gone home and cried because of the inadequacy of the service that she was trying to provide? If he has not had that experience, he has not talked to many nurses.

I congratulate my hon. Friends on the motion. I am quite sure that when we condemn the Government for their handling of the NHS, the bureaucracy, the lack of efficiency, the preference for competition over planning, the lack of any strategic thought and especially the lack of so many basic services, the people of this country are on our side of the argument and regard the Secretary of State's statements as simply incredible.

6.4 pm

Mrs. Marion Roe (Broxbourne): I listened very carefully to the points made by the hon. Member for Peckham (Ms Harman), who, unfortunately, is just leaving the Chamber, but I totally disagree with her. Patient care in the national health service is most certainly not dominated by bureaucracy. To maintain that argument does a great disservice not only to the very good managers of the national health service but to the improvements in patient care that have been made since the advent of the national health service reforms.

The taxpayer surely has every right to expect that public money is spent wisely and that it is committed to achieve the ends that Parliament considers most vital. It is simply common sense that, in an organisation the size of the NHS, that requires strong leadership and robust financial control. That is the role of NHS managers. I believe, along with many others, that the many recent achievements of the NHS would not have been possible without them. The achievements to which I refer have not in any sense been attained in an ivory tower; they are solid, demonstrable improvements in patient services. I shall give a few examples of such achievements by citing what has occurred in the two hospitals that serve my constituents.

Over the past five years at the East Hertfordshire NHS trust, which operates at the Queen Elizabeth II hospital in Welwyn Garden City, there has been a 30 per cent. increase in the number of day cases and in-patients treated, including a 14 per cent. increase in emergency admissions. Over the same period, more than 33 per cent. more out-patients have been treated. Accident and emergency attendances have increased by more than 5 per cent. a year since 1991, but with the recent introduction of assessment units for children and GP-referred patients the trust has managed to control the number of unnecessary and, of course, costly emergency admissions.

For patients awaiting routine surgery, there has been a huge reduction in overall waiting time. On 31 March 1993, almost 600 people had waited longer than 12 months for their operation, but on 31 March 1996 only one person had waited longer than 12 months. That patient was admitted in early April. The appointment of many new consultants enables the trust to provide a very wide range of services locally so that patients do not have to make the tiring and often stressful journey into London.

Since 1991, a range of new units and services has been planned, built and put into service. They include a new day surgery unit that performs operations for more than 7,000 patients a year, the joint development of a magnetic resonance unit providing a state-of-the-art diagnostic imaging service, a new residential and respite care unit for younger physically disabled people, a pre-discharge unit for elderly patients awaiting assessment for longer-term care, a stroke rehabilitation unit, a complete new hospital ward for gynaecology patients and a high-dependency unit for coronary care and other serious medical conditions.

That is typical of what has been achieved in east Hertfordshire since the introduction of the NHS reforms. Those who are familiar with the funding of health services in the shires will be well aware that it was certainly not the result of over-generous funding. While all those developments were taking place, the revenue funding available to east Hertfordshire rose by only 3 per cent. It is a superb record of efficient management and it equates to an efficiency gain of 22 per cent. in total or 4 per cent. on average each year, which well exceeds the national target of 3 per cent.

I am aware that those major advances in patient services are reflected throughout the country. They have been achieved not through bureaucracy but through skilled and effective management. Therefore, it must be clear that prudent investment in good managers pays dividends.

Those achievements have been attained against a background of low management costs. In 1996, East Hertfordshire NHS trust recorded management and administration costs of 5.7 per cent. of its overall expenditure. That low total would be the envy of many organisations with far simpler remits. However, we must not forget that many doctors, nurses and technical and professional staff are involved in the management of the NHS, and that is exactly as the taxpayer would wish. Of the 5.7 per cent. that I have just quoted, 1.7 per cent. relates to staff with a clinical or technical function.

Similar successes have also been achieved in the Chase Farm Hospitals NHS trust, which operates from Chase Farm hospital. Management of the trust is based around 12 practice management groups—the local version of clinical directorates, which were introduced in 1991—based on the major specialties. Each is headed by a PMG chairman who is a senior consultant in that specialty. PMGs are responsible for the quality of services, financial management, staff management and development and planning service developments through the annual business planning process. PMGs make budget and day-to-day decisions about services, so many important decisions are made at the chalk face rather than in the boardroom. About 50 per cent. of the full-time consultants are directly involved in management and there are excellent working relationships among medical, nursing, management and other professional staff.

The past three years at Chase Farm have seen the development of new, innovative services and the appointment of 14 new consultants, with additional consultant posts in general surgery, oral and maxillofacial surgery, obstetrics and gynaecology, anaesthetics, paediatrics and accident and new consultant appointments in orthopaedics, ear nose and throat and medicine.

The Chase Farm trust also places the highest priority on developing relationships and communications with GPs and various important initiatives have been developed. There is a GP forum, which is an open meeting for GPs that is held every Sunday morning. Farmfacts is a newsletter specifically for GPs and practice staff. Regular contact has been established with individual practices and doctors and managers visit GPs in their surgeries to focus on specific issues. There is a medical director helpline, which provides a regular time when the trust's medical director is available for GP queries, and there is also a GP adviser to the trust who attends all the board meetings.

Through its relationships with GPs the trust has developed services much closer to patients' homes. For example, there is a consultant-led clinic in my constituency at the Cheshunt community hospital as well as numerous GP surgeries. Those initiatives are the result of discussions between consultants and GPs about the services that they require for their patients.

Another recent innovation is allowing a consortium of Cheshunt GPs to use the community hospital as a base for their out-of-hours service.

Clearly, it is important to take account of every member of staff in the hospital who is involved in its management, but many managers retain significant clinical responsibilities. They include the chief pharmacist, the chief physiotherapist and other senior professional and technical staff. The medical director is a busy surgeon who fulfils his management role in four weekly sessions.

It is an inescapable fact, however, that the NHS internal market, which has been in operation since 1991, has incurred some elements of bureaucracy that could be dispensed with by carefully targeted action. For example, we need to examine whether staff time should be taken up with issuing invoices and checking queries. There may be scope for simplifying the system—a task that my right hon. Friend the Secretary of State has well in hand through the major efficiency scrutiny that he has launched in the NHS.

It would be particularly welcome for the recommendations of the scrutiny team to concentrate on those areas where staff have to check and confirm the details of patient care that have been provided in good faith by hospitals and community services. More straightforward administration of extra-contractual and tertiary referrals could be achieved at no cost to the effectiveness or control of patient care.

Finally, after five years of enormously effective operation, we must acknowledge that some elements of the NHS reforms may require adjustment. As I have already said, that is now in hand. However, we must keep clearly in mind what the NHS reforms were meant to achieve. The purpose of the reforms, in addition to a much increased involvement of doctors in key decisions, was to ensure that taxpayers' money was spent on patient care and that that could be demonstrated clearly through a system of accountability between purchasers and providers. That those objectives have been achieved cannot be questioned.

Mr. Bayley: I have listened with interest to the hon. Lady. She mentioned a considerable list of service improvements at the Queen Elizabeth II hospital over a five-year period and said that during that time the hospital's income had increased by only 3 per cent. in real terms. Earlier this afternoon, the Secretary of State said that the NHS had received a real terms increase of 3 per cent. in each of those years. Which figure is right? Is it 3 per cent. per year or 3 per cent. over five years?

Mrs. Roe: I was absolutely clear, but I shall repeat what I said so that the hon. Gentleman does not misunderstand me. He will find that I said that while various developments were taking place, the revenue funding available to East Hertfordshire NHS trust rose by only 3 per cent. Those in Hertfordshire complained because they did not believe that they were being generously over-funded, and colleagues from Hertfordshire have brought that to the attention of the House on numerous occasions.

The objectives of the reforms have been achieved—that cannot be questioned. The Government's emphasis on improving patient care guaranteed that the objectives would be achieved, and with their worthwhile and timely efficiency scrutiny they have seized the opportunity to take stock of the system that they put in place and to support the vast improvements in patient care that have taken place. I hope that the scrutiny's detailed recommendations will enable us to put an end to the claims that are made—so often on an uniformed basis—of an over-bureaucratic structure in the NHS. I am glad to confirm that, from my constituents' point of view, the focus of the NHS remains clearly on the patients, whose care must always come first.

6.20 pm

Mr. Simon Hughes (Southwark and Bermondsey): This debate is rather like pass the parcel, with everyone hoping to get in before the match starts later on. For the information of the House, it is still nil-nil between France and the Czechs in the second half of extra time.

The debate was started by a set of assertions in the Labour motion that I hope the Government—although they would generally be unhappy about agreeing to them—will accept. These include the statements that NHS services are overstretched, however many resources are put in; that there is a shortage of intensive care beds, certainly where they are needed; that waiting lists are over-long and people cannot get the service at the place or time they want; that there are still people waiting on trolleys in accident and emergency departments; and that there is great pressure on community health services. There can be no honest dispute about those matters.

Whether or not it is the Government's policy, it is a fact—as the hon. Member for Peckham (Ms Harman) rightly said—that many people are driven to private health care, even though they would not choose to do so, simply because they cannot be treated in time. Although there will always be rationing in the health service, and the debate is not about "whether" but "how", the test of whether we have a national health service is whether it has the capacity to meet the clinical needs of people throughout the UK.

The key debate tonight is about whether we are spending money on unnecessary bureaucracy at the expense of and to the detriment of patient care. All the evidence and submissions that I have seen for this and other debates make it clear that we are. Bureaucracy has been growing and, in the words of my party's amendment—which was not selected—

"excessive, expensive and often unnecessary"

bureaucracy has resulted from the 1990 reforms.

I accept that the Government have always made additional capital investment in the NHS, and that there has been real terms growth throughout their period of office, but it is getting a bit thin. It is now down to an increase of 0.1 per cent. this year over the last, but the Government are just about making their manifesto commitment. The test that matters to people outside is whether that growth results in money being diverted to the patient.

There are issues that the Government have not yet accepted and addressed. For example, many people have experience of a two-tier health service. It does make a difference whether one is the patient of a fundholder or not, and one often does get seen more quickly as a patient of a fundholder. The reason for that is that the trust will take the fundholding patient because it wants to keep the

[Mr. Simon Hughes]

fundholder's contract rather than that of the commission or local health authority, because the trust can be more secure about the future of the commission's contract.

There is a real debate about making sure that money is properly spent and not wasted. The Government accept privately—although they may not do so publicly—that an unnecessary amount has been spent on bureaucracy as a result of the changes. We must all have constituency experiences—I certainly have—of local GPs and people working at, for example, Guy's hospital in my constituency who have given examples of bureaucracy gone mad in terms of the way in which people move from the moment their need is expressed to treatment. No one can be satisfied with that in the health service.

I shall refer to, rather than elaborate on, the professions I cited in an earlier intervention on the Secretary of State, who say that the system is far too bureaucratic and add that they are suffering under it. They are suffering not just because it is costing money, but because it is diverting resources and time, and demotivating them from the service that they want to provide.

First—the hon. Member for Peckham referred to this event also—a news conference was organised by the British Medical Association on 16 May, the report of which stated:

"Flagship hospital trusts are reportedly seeing their once-efficient departments slowly destroyed by government requirements for trusts to make year-on-year efficiency savings of 3 per cent. But they are not allowed to use any surpluses to increase capital resources, such as beds, in the following financial year. Instead they have to use them to cut prices."

The Royal College of Nursing has signalled certain specific concerns, and has made the point that it is a bad economy to cut out senior nursing posts—one of the consequences of the Government's reductions in certain budgets at a time of nursing shortages. If there are nursing shortages and less experienced groups of nurses, we need the senior nurses in post to be able to make sure that they manage less experienced staff and plug the gaps better.

According to the RCN, the number of nurses fell by 2 per cent. in 1992-93 and by 1.27 per cent. in 1993-94. More worryingly—I hope that this concern is shared across the House, and I know that the Select Committee has declared its concern—the number of pre-registration students has gone down considerably, from 37,000 qualifying in 1983 to 14,000 in 1995. There is real concern about the future of people coming into the health service to train as GPs or nurses.

The RCN suggested two matters of particular concern. First, the introduction of local pay bargaining is extremely time-wasting and debilitating. There are now 488 sets of local pay negotiations—what a waste of time and effort. There should be a minimum guaranteed pay scale for nurses across the NHS. If one wants to top up that scale as a result of extra bonuses for work done—rather than negotiated pay—then that can be done.

It is noticeable that, as of a couple of weeks ago, out of the 488 employers in the NHS, only 111 had concluded negotiations four months after the pay review report. That is the first thing we could do to save an enormous amount of time and effort, and to stop distracting people.

Secondly, every year now, the commissioner, which is the local health authority, and the trust, as the supplier, must negotiate the contract. Contract negotiations year in, year out, are the most time-consuming and frustrating exercises. Nobody in the public service wants a one-year contract, and we should get away from the idea that that is the way to run the NHS. That is what takes all the time, and that is where all these extra people are employed.

That is also what produces all the paperwork referred to by the hon. Member for Peckham. We must move very quickly, and I hope that the Government will introduce regulations so that we have much less frequent contract renegotiations.

The BMA has made some additional points. It says that there has been a huge duplication of administrative effort and a large diversion of resources into administration. GPs around the country—the Minister will have heard this from GPs in Winchester—tell us that the thing that bugs them the most is the paperwork. The Minister knows that that is the case whether it is our survey or his, private or public.

The Minister for Health (Mr. Gerald Malone): They are bogus surveys.

Mr. Hughes: They are not bogus, but they are consistent in saying that what bugs GPs most is paperwork. GPs went into general practice to be doctors, not administrators. The most recent survey of GPs' work load, which was conducted by the British Medical Association, showed that the average weekly time spent on practice administration had risen 85 per cent. since 1985-86. Claim forms, recording data, commissioning, fundholding and the patients charter were regarded as bugbears.

I accept that the Government have addressed some of those concerns, and that the NHS executive report "Patients not Paper" made 65 recommendations, which are being implemented. I hope that we go on down that road, because we have to reduce the administrative burden on our doctors.

I hope that the Minister will reply to the representation of the National Health Service Consultants Association. Its executive committee met the Secretary of State in March. It was asked what it would recommend, given that the Secretary of State would not concede that the 1990 reforms should be torn up. It wrote to him in May, but had had no reply to its propositions by 20 June. It is clear about the problem. I shall quote its view, because it is up to date and on the ball.

The association states:

"the great weight of evidence presented to us indicates that features of the Act and what has developed from it are the prime causes of the current low morale in all branches of the medical profession and indeed throughout the NHS."

The association is frustrated because the service is fragmented. Loyalty to the concept of the NHS is being replaced by corporate loyalty to the local individual unit, which encourages destructive rivalries and antagonisms, lack of openness and interference with rational strategic planning. A major source of dissatisfaction is that the pricing system is patently arbitrary, is at the mercy of creative accounting, and produces clinical absurdities that bring the system into disrepute.

The association says that there is no justification for the explosion in the use of external management consultants to report on every problem that occurs. The investment in newsletters and public relations departments to present

policies in the most favourable light is a bad use of money. The Minister has received 12 recommendations from the association to reduce bureaucracy and divert resources. I ask that the Government reply as soon as possible and accept, as far as possible, its proposals, which are based on experience and put reasonably, and which include many good ideas.

A constituent of mine, in discussing the local council and its services, told me in a letter last week that he was busy fighting cancer and did not have time to fight bureaucrats. That is what people in the health service want to do. I shall put the central allegation to the Government and then make suggestions for progress. I shall do so quickly, for the twin purposes of letting other hon. Members speak and releasing myself.

I hope that the Government accept that it is unarguable that administration costs have risen from 6 to 11 per cent. of spending since the 1990 reforms were introduced. We have gone from 500 general managers—I know that there has been some redefinition—to some 20,000. Redundancy payments have risen from £12 million to £114 million a year. That shows the extent of managerial upheaval.

My first proposal for change is that the contract period be extended from one to three years. That is no good unless the people involved know how much money is coming down the tracks. It is no good if the budget is given, whether in west Hertfordshire or elsewhere, on a year-by-year basis. The same complaint applies to local government.

A clear idea is needed of the money that will be available over the next few years. Of course circumstances change and there has to be flexibility, but it would be possible to have a financial framework within which one could know the parameters of the money that was to be given. Within that, there could be adjustments, but it would allow people to plan. Will the Government consider extending the one-year contract period to three years?

Can we avoid having to price everything? It is quite possible to give a round figure price for the day cost of conventional care in a hospital. We should not have to cost separately the bedpan, the sheets, use of the fan and breakfast. There must be a day rate, as with paying hospital beds or private hotels. It is nonsense to go down to such particulars. We could avoid much costing by having a more generalised process.

There must be a return to a sense of the public service ethos. One problem is that many managers have not come up from the national health service. Many people in the health service feel that managers do not understand what they have to manage. Let us train people from inside the health service—people who know about managing the service. When we need efficiency cuts, let us not imagine that cutting senior managers is necessarily the best way to achieve cuts.

Thirdly, can we have longer staff contracts? Short-term staff contracts are demoralising and demotivating. It is not good employment practice, but it is more bureaucratic. It means that many agency staff are employed. It is possible to move efficiently and quickly to longer-term contracts that give everyone a sense of security and the institution a sense of coherence.

Fourthly, staff planning needs must be better met. That used to be the responsibility of regional health authorities, but they have gone. We have regional health chairmen with nothing to chair; that is nonsense. Local trusts or health authorities cannot plan staff levels because they are too small. They are having to form consortia. We need to return to regional planning of health service staff needs.

Fifthly, can we end the nonsense of local pay negotiations? Sixthly, can we end the system that requires the health service negotiating process to be rather like the United Nations Security Council? When health authorities, trusts and other players must all agree something, it takes only one agency to say no to veto the whole thing. Perhaps a regional tier or national inspectorate could cut through that. Whichever is needed, we must avoid having to get everyone to sign up to everything before anything can go ahead.

Penultimately, it is not right to attack management. I agree with the hon. Member for Broxbourne (Mrs. Roe), who chairs the Select Committee, that many managers do a good job. I was in Harrogate hospital at a conference recently. They are doing an excellent job in managing that trust. It is not the managers who are the problem, but the systems that we have imposed. I agree with her and the hon. Member for Peckham that it is the bureaucracy that we have introduced that is debilitating all the players.

Lastly, the NHS performance indicators will be published next week. There will no doubt be great trumpeting from the Government that they all show that the NHS is performing better. However, the indicators are all related to time; none is related to the quality of care.

The test of the NHS is not how many people are put through a certain number of beds in a certain number of days: it is the quality of care people have, whether they are in-patients or out-patients. All the statistics in the world showing that we are treating more people more quickly are of no use to anyone if the care is not of an ever higher quality. I hope that the Government understand that it is not the politicians who have the biggest cause to complain about the bureaucracy, but the patients and the people working for the NHS, and they do so because they want the money to go on patient care.

6.39 pm

Dr. Charles Goodson-Wickes (Wimbledon): As the general election approaches, debates on health care become ever more bemusing and intriguing. Opposition Members' speeches today have demonstrated all too well the increasing contradictions and anomalies in the Opposition's policies, which have been so well exploited by my right hon. Friend the Secretary of State. I have no doubt that my hon. Friend the Minister for Health will probe further when he replies.

I begin by deploring the fact that, at this time of year, the chairman of council of the British Medical Association seeks to provide emotive headlines at the BMA's annual conference. I had better declare an interest straight away, as the BMA is my trade union. The sort of language he has used, which is translated into the headlines we read, is reminiscent of the worst days of the old TUC conferences: "Health service heading for disaster"; "NHS sinking like the Titanic". Such headlines are not only singularly unhelpful—indeed, untrue—but totally out of keeping with the medical profession and all it stands for.

The ethos of the medical profession is surely to reassure and to act in the best interests of patients. It must adapt to changing times, but in that adaptation and change, must assist, with the prime object always in view—the welfare of the patients it is looking after.

[Dr. Charles Goodson-Wickes]

When on earth were there not politicians bemoaning chaos and crisis in the NHS, combined with limited resources? "Underfunding" is an emotive left-wing word which has got into the Opposition's vocabulary as a cover-all description which completely fudges everything that we are in politics for—to make decisions about priorities, within limited resources. It is nonsense to talk about underfunding.

Our job here, on whichever side of the House we sit, is to decide where best we can use the taxpayers' money. It is a fundamental naivety for the Opposition always to go on about underfunding, when we should be talking about efficiency and patient care.

Mr. Martlew: Does the hon. Gentleman think that the NHS is underfunded?

Dr. Goodson-Wickes: I certainly do not. The hon. Gentleman has not been following my train of thought. In an ideal world, every Secretary of State would have an unlimited budget, and the world would be a lot better for that. But that is not the sort of utopia in which we live. I am sure that the hon. Gentleman recognises that. I welcome the fact that his right hon. Friends on the Opposition Front Bench increasingly recognise that, and are beginning to see the realities of life. I look forward to the hon. Gentleman joining that club in due course.

After all, Nye Bevan himself wholly failed, in all his admirable work in setting up the NHS, with all-party backing—the Conservative and Liberal parties, Beveridge, all worked together in the all-party tradition to set up the NHS—*[Interruption.]* If anyone disagrees, they have only to read the history books. I will send them the bumf whenever they like.

But in setting up the NHS, Nye Bevan himself wholly failed to recognise the infinite demand which would result thereafter. He thought that ill health would, to coin a phrase, at a stroke be eradicable, that everyone would be cured instantly, and that people thereafter would not become ill. I forgive him for that. He could not possibly have foretold the developments in medical technology and so on, which have now opened unforeseen areas of expertise for the benefit of patients and populations.

Mr. Simon Hughes: Without getting into a debate about Nye Bevan, I have one factual point to make. I hope that the hon. Gentleman will not deny that, in the 1945-50 Parliament, the Labour and Liberal parties voted for the NHS legislation, and the Tory party voted against it.

Dr. Goodson-Wickes: I said that I was perfectly prepared to send hon. Members the exact basis on which the Conservative party did that. But the hon. Gentleman, being a fair-minded man, will acknowledge that the Conservative party had a considerable input in the setting up of the NHS. We go back to 1911 and Lloyd George. I hope that the hon. Gentleman will be happier now that I have mentioned Lloyd George.

The hon. Gentleman knows perfectly well that the workings of this place are such that, for bizarre reasons, particular parties go into particular Lobbies, and then the reasons are dissected. We all know the truth. I am sure that the hon. Gentleman and Opposition Members will acknowledge the Conservative party's input. However, I give Nye Bevan the credit for getting the NHS legislation on to the statute book.

The perfect must never be the enemy of the good. One of the uncomfortable messages we must all address on a non-party political basis is well set out in a leading article in this week's *British Medical Journal*. I was critical about that publication earlier this week, so I had better be polite about it today. The article, headed "Rationing health care: moving the debate forward", says:

"In Britain neither the Government nor the main opposition party will openly acknowledge the inevitability of rationing health care."

That is at the nub of every debate that we have about health care. Commentators believe that the Government should lead a debate on how best to ration health care. We are talking not about whether one should or should not ration health care, but about how best to do it. Anyone who says otherwise is living in the utopian world to which I referred earlier in reply to the hon. Member for Carlisle (Mr. Martlew).

The article continues:

"Many people in the health service think that more funds should be available for health care, and many members of the public support such a proposal. But these are separate debates. More effectiveness and more money will not"—

I repeat, not—

"remove the need to deny effective treatments."

In other words, to go back to the hon. Gentleman's intervention, however much money one has, the resources will never be available to give effective treatment to all patients regardless of need. That is an entirely non-political argument.

Five years on from the NHS reforms, it is an appropriate time to take stock. Having spent most of my career in the NHS, I have had ample opportunity to see bureaucray at first hand, and bureacracy is the subject of the motion today. I have seen the appallingly long waiting lists for admission, the inadequate administration of case notes, the lack of a proper appointment system in out-patient departments with either no appointment system at all or multiple bookings, and the lack of liaison with investigation results coming back after patients have been seen.

On top of all that—I say this with humility about my profession—all too often in the past, superimposed upon all those inadequacies has been an air of condescension and old-fashioned paternalism which suits this day and age particularly badly. Any reform which helps to remedy some of those problems, and which the Government have been so conspicuously successful in achieving, is warmly to be welcomed—I imagine, on both sides of the House.

Where do we go from here? I believe that the Government's record stands up to the closest scrutiny. I welcome the shift from secondary care to primary care, with all that that involves for GPs and their close involvement with patients. I want to quote a letter sent to all Members of this House from the BMA, dated 2 November of last year:

"The Government's reforms offer improved services to patients, both in quality and range".

Of course, resources must mirror these changes—although they are not infinite. I certainly hope that GPs' careers will be further enhanced; likewise their job and clinical satisfaction.

There is no district general hospital in my constituency, but the borough of Merton's is arguably the best served population in the country, in that it contains three superb district general hospitals which serve my constituency: St. George's Hospital NHS trust, Kingston Hospital NHS trust and St. Helier Hospital NHS trust. I keep in close touch with all of them to find out how they are dealing with the Government's reforms, particularly in respect of bureaucracy.

The St. George's Hospital trust warmly welcomes the efficiency scrutiny exercise now under way, and believes that it will offer scope to allow the hospital to reduce administrative effort—for instance, in invoicing each month, as mentioned by the Chairman of the Select Committee. The hospital will also be able to simplify contract payments with purchasers and to reduce the need for pre-authorisation from purchasers. That will lead to reduced bureaucracy in the internal market.

My hon. Friend the Member for Broxbourne (Mrs. Roe) and I would do anything to reduce the bureaucracy that inevitably arises during any administrative change. The fact that St. George's is reacting so positively to the initiative is a good omen for the future.

The hospital has already speeded up communications within the trust by using e-mail technology. It has developed an integrated information support scheme that speeds up patient results to doctors, reduces the time spent chasing medical records and generally reduces bureaucracy and paper chasing, thereby allowing more time for hands-on patient care. It is important to eliminate the sort of problems which I said at the beginning I had seen at first hand.

Information links to GP practices have been greatly enhanced, allowing laboratory and radiology results to be passed on quickly and permitting GPs' letters and discharge statements to be electronically mailed. This, too, will alleviate the old problem of time spent chasing paper. I believe that all hon. Members would endorse such an objective.

I tried earlier to intervene on the hon. Member for Peckham (Ms Harman) while she was waxing lyrical about the bureaucracy surrounding fundholding practices. The House will have noted that she declined to give way, despite my trying to intervene several times. I have specific examples that rebut what she alleged is happening to increasing numbers of GP fundholders.

The Kingston Hospital trust document explains exactly what I mean. It has set up a so-called GP multi-fund, which, although it consists of about 40 practices, enables the hospital to deal with a single management group. I do not know whether that pattern is followed around the country; if not, it should be, because it is eminently sensible. I hope that the hon. Member for Peckham will visit Kingston hospital and find out at first hand how well the system is working—instead of waffling on about thousands of GP fundholding practices and the bumf that she says they generate. It simply does not work like that.

Kingston is also talking to the district health authority and to the multi-fund group about providing electronic data transfer between GPs and the hospital, thereby reducing administrative costs. The hospital's management structure is flat, with authority and responsibility delegated close to the point of patient contact.

Kingston Hospital trust is set to achieve the target of management cost savings of 5 per cent., a reduction of more than £150,000. It is all very well to swap insults across the Floor of the House, but it is more sensible to look at the figures and see what is actually happening.

The same good developments are to be found at St. Helier NHS trust and at Queen Mary's NHS trust in Roehampton, which also serves a few people from my constituency. Furthermore, I have good news about the Nelson hospital—one of the old cottage-type hospitals which had been virtually condemned to closure. Thanks to efforts at local and national level, it will now have a future, providing the Labour-controlled council is co-operative, offering enhanced day care facilities, physiotherapy, occupational therapy and radiology—all in the heart of my constituency: a most welcome development.

I pay tribute to the community health council in my constituency. My first contact with such councils was in Islington, where I was the prospective parliamentary candidate in 1979. I do not know whether things have changed in Islington, in line with the change of attitude represented by the Leader of the Opposition, but at the time its CHC was a politically motivated left-wing pressure group. Nevertheless I pay tribute to the community health council in my area, which could not be less politically motivated. I have not the slightest idea of the politics of those who serve on it, whom I meet regularly and who offer a uniformly constructive and helpful analysis of what is going on. I congratulate them on that.

The Secretary of State extolled the virtues of removing unnecessary tiers of administration throughout the NHS. I vividly remember the time I sat in the office of the chief executive of the South-West Thames regional health authority, in Paddington. On the wall was an idiotic map, showing his area of responsibility, stretching from Wandsworth to the south coast of Sussex. At the time, my elder son was a patient in an NHS Chichester hospital. I could discern nothing—apart from excellent medical care—linking Paddington, Wandsworth and the southern reaches of Sussex, however. It was ludicrous, and it just showed what a good idea it was to abolish the regional health authorities and put in hand the subsequent reorganisation.

Not only has Merton and Sutton health authority merged with the local family planning committee; we have gone further and merged the Merton, Sutton and Wandsworth health authority with the family planning committee. That will lead to financial savings, and give my constituents a much better service.

I do not want my speech to be a litany of good news and congratulations for the Government. There have been problems in my constituency—in fact, I am surprised that Labour Members have not intervened in this regard. For example, there has been national publicity about accident and emergency facilities at St. Helier hospital, which serves my constituents who live in the southern part of the borough. I have had regular meetings with the management of St. Helier hospital, and I have every confidence that it will tackle what is an uncomfortable situation—patients have been left, inappropriately, in corridors. That is unacceptable.

The management at St. Helier hospital has told me that the main problem is the phenomenon known as bed blocking—I suppose that we will get used to the term.

[Dr. Goodson-Wickes]

Apparently, "bed blocking" means that patients who are perfectly fit to be discharged from hospital do not have the facilities to be so discharged and thus take up beds that could be used for emergency admissions. This is unacceptable.

I offer my hon. Friend the Minister a radical solution to the problem—I do not know how receptive he is to radical solutions. If he is in a tier-abolishing and streamlining mood, he might examine the merits of looking at the roles of the community NHS trusts in relation to local authority social service departments to see whether the liaison between the two is good enough. If it is not, would he consider talking to his colleague in the Department of Social Security? There could be scope for further amalgamations and abolitions of tiers.

The Labour party is coy about its plans for the future. I do not wish to jeopardise the hon. Member for Peckham's chances of re-election to the Labour shadow Cabinet—if such an election takes place—but some of the semantics we heard from her today were quite extraordinary. She was asked whether fundholding will be abolished, or whether it will re-emerge as general practitioner commissioning.

If the Labour party believes in choice and diversity, will it say whether new Labour believes in a mixed economy in health care? The hon. Member for Stockport (Ms Coffey) is shaking her head—but I do not know whether it is in response to my argument. I hope that the hon. Member for Fife, Central (Mr. Mc Leish) will clarify the situation in winding up.

The former research director of the Fabian Society, Stephen Pollard, stated:

"For Labour to put forward a credible social and economic policy—with specific costings for healthcare—it should examine the approach adopted by its Socialist colleagues abroad and embrace the benefits that can be derived from an enhanced British independent healthcare sector."

What is the Labour party's official view in that regard? Geoff Mulgan, the director of Demos, stated:

"Mutual help can fill the gaps in provision of everything from money, to food shops and housing."

Does the Labour party endorse a trend towards the great mutuals of the past and of the present, such as the John Lewis Partnership, the Co-op and BUPA? The Labour party should let the House and the country know its views in this regard.

I was once a consultant to BUPA. When Frank Chapple was the general secretary of the Electrical, Electronic, Telecommunication and Plumbing Union, the union joined BUPA. He wanted to ensure that his members had the best possible health care available. I am not carping from a purist point of view, because, as a Conservative, I believe that everyone has the right to the best possible treatment available. If the general secretary of the EETPU chose to sign up all his members for private health care, well and good. I congratulate him, and I hope that they all benefited from it.

As I said in an intervention, there has been a long tradition of the trade union movement looking after its members with private health care outside the national health service—I refer to the Manor House hospital and to the Benenden hospital, one of the largest independent hospitals in the country.

The Labour party's argument is riddled with hypocrisy, and it is about time it came clean and told us what it stands for and what its plans are for the future. Does it believe in a mixed economy in health care?

In years to come, the most important thing will be getting value for money. The right hon. Member for Sedgefield (Mr. Blair) made a speech in this regard earlier in the week. *The Times* refers to his speech, and states:

"If Labour won the general election there would be no unnecessary reorganisation in the NHS. He said also that he had no intention of pumping in more money until it had been established whether the present budget was being well spent."

Hear, hear, to that. I wonder whether he has told the hon. Member for Peckham. Why should we look in a crystal ball when we can read the book? I have read the book according to the Leader of the Opposition.

Mr. Bayley: Sit down.

Dr. Goodson-Wickes: I shall conclude my speech—if hon. Members do not wish to intervene.

I refer to a saying of Sir Richard Doll, which I used to have framed in my consulting room—I used to get my patients to read it. He is well known by hon. Members as one of the supreme epidemiologists—and he was suitably honoured in a recent honours list. He first came to prominence when he demonstrated the causal link between smoking and carcinoma bronchus. He said:

"It is not for doctors to advise people to live their lives as invalids in order to die healthy."

I suggest that the essence of Labour policy is to spread alarm among patients, when all the trends—while far from perfect—are for the better and in the interests of patients. I have the greatest confidence in the reforms proposed by the Government. They have been tackled in a practical and robust way. I suggest that the Labour party offers only uncertainty—and uncertainty is one of the worst things in this life. A patient, by definition, feels unwell, uneasy and uncertain. The last thing a patient wants is uncertainty about what the Labour party is going to do to the national health service, which we all value.

Several hon. Members *rose—*

Madam Speaker: The 10-minute limit on speeches now applies.

7.9 pm

Mr. Don Touhig (Islwyn): The hon. Member for Wimbledon (Dr. Goodson-Wickes) spoke for about 27 minutes—but I do not know whether hon. Members are any wiser. We know that history is not his strong point because he spoke about the Tories supporting the foundation of the national health service. I wonder what Aneurin Bevan, the architect of the national health service, would say if he knew that this week the British Medical Association has said that the health service is being cut to the bone. No one should pretend that today's national health service is the one that Nye Bevan and the Labour party created. The task of providing health care is as great a challenge now as it has ever been. Health care systems across Europe face conflicting demands, from the political pressure to provide every citizen with better access to care to the need to keep costs at a level that the nation and its taxpayers are prepared to pay and can

afford. Added to that political juggling are the pressures of modern health care—the mounting costs of care, a general aging of the population, changing disease patterns, increased expectations and advances in medical science and technology.

Health care in Europe has developed from the two basic models of a system of mandatory insurance supplemented by public funds and a universal system of state-funded health care. Rising public expectations set against the difficulties of financing health care inevitably lead us to examine how we fund health care, but that is a subject for another debate. Today, we are addressing the issue of bureaucracy in the health service.

The task of providing an adequate health service for the next millennium is not an easy one. We need to consider carefully how we will rise to the challenge. The Government's response has been to increase bureaucracy and to pour resources into an ever-growing army of administrators, rather than into primary health care. That is not the way to meet the challenge. Bureaucracy has risen to ridiculous levels in the health service. In 1993-94, the Government put an extra £1.4 billion into the NHS and every penny went on bureaucracy, not on patient care. As my hon. Friend the Member for Peckham (Ms Harman) said earlier—she is not in her place at the moment—the health service now has 50,000 fewer nurses compared with 1989, but it has 20,000 extra managers. The cost of administering the NHS has increased from 9.2 per cent. of the total expenditure on the NHS to 15.6 per cent.

While all that is happening, hospitals are refusing people who need treatment because of problems with funding. That is a scandal that cannot be tolerated in a civilised society on the eve of the new millennium, but it is being repeated across the country. I was in Hamburg recently and I learned about some initiatives that the German health service has taken to overcome the problems of meeting public aspirations for health care at the same time as controlling costs. The cost of some 25 per cent. of hospital procedures has been agreed between the Government, the medical profession and others by identifying diagnostic related groups. Those patient management categories have been negotiated between the hospital association and the insurance funds in all state hospitals to ensure quality and good care. It is intended that that practice will apply to 80 per cent. of hospital procedures.

Meanwhile, the Government continue with their obsession to develop the market in the NHS, instead of balancing costs against expectations. That obsession means that young diabetics, in my county of Gwent, have to pay for special insulin syringes because the local hospital cannot afford the £4,000 yearly cost of the service. In my constituency, a group of local women provide a cancer advice surgery. Last year, the bulk of its funding came from the mayor's charity appeal and it operates from a portakabin in a car park behind the high street. The group is sustained by volunteers and they are doing the work that should be done by the NHS. Such gaps are all too common.

Another reason why today's national health service is not the one that Bevan created is the element of commercialisation that has been allowed to sweep in like the incoming tide. While it might be appropriate to market-test for some services in a hospital—portering, catering and cleaning—it is not acceptable or effective to privatise clinical services that directly affect patient care. Already sterile supplies, dental care, ophthalmology, pathology and pharmacy services have been handed to the private sector. Abortion services, psychology, speech therapy, physiotherapy and occupational therapy services have been market-tested as the inevitable consequence of an NHS that operates with a blind faith in market forces. No balance has been sought or achieved.

The markets may do many things well, but left to themselves the markets will not educate our children, they will not provide the infrastructure that the country needs and they will not provide an acceptable level of health care for our people. Health care is not a product that can be packaged, marketed and sold by formula, at least not in a civilised society which, while valuing the individual, cares for the whole community. Health care is not simply an economic question of supply and demand: it has a human element that makes it unique. Health care is about curing the sick, relieving pain and caring for the young, old and infirm. For most of us, the possession of all the wealth in the world would be no substitute for good health. We must bear that unique element of health care in mind when we consider the subject of effective management.

We need effective management in the NHS. We already have some good and effective managers in the NHS—some of the managers working in my area do a splendid job—but we do not need managers who are fixated on market testing and contracting out. The NHS needs skilled managers who can develop strategies and schemes, balance budgets and control costs properly, but who also appreciate that they run a unique service of health care. Those who are active and working in health care need to have a say in the management of the health service.

I recommend to the House the United Kingdom nursing leadership programme, which is sponsored by Johnson and Johnson and the King's Fund. The programme seeks to tap into the unrealised potential of nurses to produce leaders who can make vital contributions to the development of health care. It operates over two years and nurses have a non-nurse, board-level mentor and undertake relevant secondments to improve their knowledge and skills. That break with the traditional career paths for nurses is to be applauded because it is one way in which experienced health care staff can move to board level, thus aiding their personal development and, most importantly, providing a much needed health care perspective at board level. We should welcome that major new learning opportunity.

Nurse leaders will need to be strategists, environmentalists, slick political operators and confident leaders and they will need to show a sense of purpose. The programme will help them develop those skills. There is a need

"for nurses to work with the whole system"

so that they too are

"stake-holders",

and can contribute fully to the development of new approaches to health care.

Mr. Peter Luff (Worcester): Stakeholders!

Mr. Touhig: The word "stake-holders" was a quotation from the programme set out by the King's Fund.

[Mr. Touhig]

The rub is that the participants have to contribute £1,000 towards the cost of the programme. The Government are prepared to put £1.4 billion a year into the bureaucracy of health service, but they have not invested in that programme. They are concerned about bureaucracy and administration, but they are not concerned about the nurses—those at what my father would call "the coal face".

The Secretary of State for Health, who is not in his place, said in February that the policy on the nurses' pay award was not for a 2 per cent. rise, but for locally negotiated pay. Why is it that, four months later, 75 per cent. of health trusts have failed to make deals with nurses on local pay? That is a disgrace.

Hospitals are not oil companies, supermarkets or engineering firms and it is wrong to think that we can take managers from such backgrounds and expect them to provide effective health care. Obsessive political dogma mixed with blind faith in the markets is a potent medicine that produces privatisation—a prescription that will kill the national health service.

7.18 pm

Mr. Michael Fabricant (Mid–Staffordshire): The debate so far has revealed confusion and empty platitudes from the hon. Member for Peckham (Ms Harman) on the Labour Front Bench. I shall identify three areas in which Government policy has been shown to work by setting a safety net below which nobody can fall. That is Conservative party policy and what we would want from the NHS.

The first issue is the private finance initiative. There is a clear chasm between Labour Front Benchers, because the Leader of the Opposition supports the PFI but the hon. Member for Peckham has said again today that she thinks that the PFI is a recipe for the privatisation of the NHS. I shall refer also to trusts and, if I have time, to GP fundholding. I commend to the hon. Member for Peckham and to all Opposition Front-Bench Members the excellent book published by the Treasury entitled "Private Opportunity, Public Benefit", which explains the private finance initiative. It shows how the PFI acts to support the national health service—which is why the Leader of the Opposition has a different view from the shadow health spokesperson.

According to page 9, more than 50 small schemes—that is, schemes under £10 million—are under development or are already in operation. They include waste incineration schemes for south Kent hospitals, a magnetic resonance imaging scanner for the Mid-Sussex NHS trust, a combined heat and power scheme for St. James's University Hospital NHS trust, dialysis services for South Tees Acute Hospitals NHS trust, the completion of negotiations for a concourse development for the Queen's medical centre in Nottingham, and a number of other projects that are under way in Scotland. They are examples of the PFI working for, and not against, the NHS. The PFI is providing additional resources for the NHS. I cannot understand why the hon. Lady disagrees with her leader and insists that the PFI be opposed.

As to trusts, I find it incredible that Opposition Members continue to use what I call Mandelson alliterations. The latest one is "market madness". Far from creating the market to which the hon. Lady referred, I believe that the trusts have created efficiency. That efficiency has not saved money for the Treasury, but provided better services for patients. That is good news. As my hon. Friend the Member for Wimbledon (Dr. Goodson–Wickes) said earlier, every Government Department has limited resources and we must determine how best to use those resources.

It is interesting to note that the Government have increased spending on the national health service by four times since 1979 and by £9.5 billion in the past few years. It is fascinating that the Labour party is not prepared to make a commitment this evening to similar increases in expenditure. We have heard only empty rhetoric from Labour Members.

I recently visited the Staffordshire ambulance trust, which the National Audit Office has identified as having the best response rates of any ambulance trust in England and Wales. I congratulate the service—particularly the chief executive, Roger Thayne—on that achievement. The Staffordshire ambulance trust has introduced an interesting new concept that it developed partly from a computer package from San Diego. It is the first ambulance trust to apply the concept. Every nine seconds, the trust has updates on where its ambulances are located in Staffordshire. Instead of being in depots as in other ambulance trusts, Staffordshire ambulances are placed strategically around the county and thus are able to respond quickly to calls.

That is the sort of innovative idea that can be introduced under local management. However, the Labour party derides local management. If Labour were to come to power, it would abolish local management, even though that provides the innovation which leads to better health care provision in Staffordshire.

Mr. Purchase: Will the hon. Gentleman give way?

Mr. Fabricant: No, I shall not give way, as I may speak for only 10 minutes.

I pay tribute also to the Premier Health trust in Staffordshire—which is ably chaired by Mrs. Margaret Whalley—and to the chief executive, Dr. Diana Rawle, who recently replaced Mike Marchment. The trust is responsible for the Victoria hospital in Lichfield, which has expanded its facilities. At one time, it was thought that a major district general hospital should be built some distance away from Lichfield to serve the people of Lichfield. However, the Premier Health trust—under local management and working hand in glove with local doctors and nurses—has ensured that the Victoria hospital provides the services in Lichfield for the people of Lichfield.

The hospital has a larger minor injuries unit, a new antenatal and maternity ward—which I opened recently—and increased facilities in the renal ward. There has been a rebuild of the in-patient facility, the rehabilitation department has been expanded and there are increased day surgery and out-patient services. Those facilities are available through the Premier Health trust, which owes its existence to so-called "market madness".

As to GP fundholding, it was incredible to watch the hon. Member for Peckham wriggle on the end of her hook. She said that she would not abolish GP fundholding, but then she said that she would abolish it

and introduce in its place "contracting"—or some other Mandelson expression. At the end of the day, we need the managers, the market and, most importantly, the resources. *[Interruption.]* However, I am sure that the hon. Member for Carlisle (Mr. Martlew)—who tries to intervene from a sedentary position—will not make any financial commitments.

Today I received a fax from Dr. Simon Elsdon, who is based in Staffordshire. I spoke with him last night and he said that he is not obsessed with dogma regarding who owns hospitals or who employs doctors and consultants, so long as good, efficient health care is free at the point of delivery. That is what GP fundholding is all about.

Labour Members are fond of using soundbites, but they have demonstrated today that they lack the ability to manage the economy or the health service. As with its education policy, Labour seeks not to push up health standards but to aggregate at the mediocre. Labour, through the abolition of the critical purchaser-provider divide, would destroy the expansion of hospitals such as the Victoria in Lichfield, or the expansion of the efficient Staffordshire ambulance service. Labour, through its abolition of fundholding, would emasculate general practitioners and thus weaken service provision to patients. Labour, through its opposition to the private finance initiative, would halt hospital building in its tracks.

Labour, by not committing itself to extra funding in the NHS, is limited to empty rhetoric and alliterative Mandelson soundbites. Labour, through its adherence to dogma, is determined to set in concrete an outmoded and ill-planned structure that was designed before 1948. While the Government can take pride in the fact that we have quadrupled NHS resources and empowered doctors for the benefit and well-being of their patients, Labour merely offers surgery by soundbite.

7.27 pm

Ms Rachel Squire (Dunfermline, West): We have just heard 10 minutes of empty rhetoric and classic soundbites from the hon. Member for Mid-Staffordshire (Mr. Fabricant). I hope that he will listen while I tell him a little about life in the real world for those who depend on the national health service.

I begin by paying tribute to the vast majority of NHS staff for their dedication, commitment and expertise. That is what has kept the national health service going, as it struggled against the impact of 17 years of Conservative Government policy. As a reward, the staff have been paid peanuts for providing vital health care. They have seen the privatisation of health care and they have watched while millions of pounds of public money was spent lining the pockets of the Tories' friends and creating more and more tiers of management.

I wish to use the brief time available to me tonight to highlight what is occurring in the real world. I shall focus particularly on what is happening at my local district general hospital, the Queen Margaret Hospital NHS trust in west Fife. For months, patients, their relatives and the staff have told me how the trust's bureaucracy and its managerial approach have led to the early discharge of patients—particularly the frail elderly—a lack of information and to ever-longer waiting lists.

I have raised my concerns with the chief executive and the health board. I have spent months listening to them saying, first, that I have not heard the full story; secondly, that prompt action has been taken; and, thirdly, that the complaint that has been raised with me is not a common one. I have been willing to accept that, as a Member of Parliament, I tend to hear rather more complaints than praise, but I have reached the conclusion that I have used the procedures for too long, and it is time for me to make public my concerns about what NHS bureaucracy and the Government's policies, encouraged and promoted by Fife health board and the Queen Margaret Hospital NHS trust, have meant to my constituents.

Let me outline a few of the examples that I had hoped to quote in more detail tonight. Until recently, the Queen Margaret hospital had four consultant radiologists, covering the whole of Fife. Even that is not enough to deal with the demand and provide a fully comprehensive service. But from August there will be only one full-time consultant radiologist, because the other three resigned in disgust at the managerial approach to radiology services, which they believe has resulted in a reduction in quality patient care. When I met the chief executive at the beginning of this month, he put the resignations down largely to personality conflicts. Yet, surprise, surprise, the consultants who are leaving have been snapped up by nearby hospitals.

I quote what one of the consultants said in his letter of resignation:

> "When I first came to the Queen Margaret Hospital three years ago, like the rest of the staff at the hospital, I was excited by the new challenges, new equipment and the future potential of developing appropriate and top quality services to Fife patients. However, in the last three years I have seen this deteriorate to a point I find professionally and personally unworkable due to a style of management that has no concept of prevalent future roles in modern Radiology which puts balance sheets and outward appearance before patient care and staff requirements for working conditions."

The problems in providing a radiology service became apparent to me during the past two years in complaints from constituents. I have raised the matter on more than one occasion with the hospital trust management, but as a direct result of its behaviour, the Government's policies and the behaviour of Fife health board, which is supposed to ensure that such services are provided, the people of Dunfermline and Fife as a whole will be without an essential quality service that affects many areas of diagnosis and treatment, including surgery. There is a national shortage of consultant radiologists, so what hope is there that patient services will be provided or restored?

The second example of NHS bureaucracy and the Government's policies concerns a consultant ophthalmologist. As I said earlier, I have detected growing concerns for a considerable time, but it was difficult to get substantial evidence because patients and relatives were afraid to go public with their complaints in case they came back on them, and staff were afraid that if they spoke out they would be dismissed. A consultant ophthalmologist did speak out and he was dismissed, even though the vice-chairman of the trust said:

> "I should stress that Dr. Hunter's clinical competence has not at any time been at issue."

Dr. Hunter was sacked because he dared to complain about the senior trust management. Is it any wonder that the people of west Fife have no faith in the hospital trust management?

As well as the treatment of consultants, that approach has affected the whole staffing of the hospital. The House will not be surprised to learn that the ancillary staff,

[Ms Rachel Squire]

who do such essential work, as my hon. Friend the Member for Preston (Mrs. Wise) said earlier in an excellent point, have not only been subject to private contractors, who offer lower pay and worse conditions, but they were recently told that when their contracts come up for renewal in the autumn, the trust will not even bother to make an in-house bid. Yet this is the trust that spent time drawing up a reward package for itself and the people who supported it.

Let me make it clear that the people of west Fife, indeed, Fife as a whole, never wanted trusts. They felt that the time and money involved could be better spent on providing patient care, but they have been landed with three of them. When they complain to me, they make it quite clear that they are not complaining about the vast majority of staff at the hospital. They blame the senior management and the Government for what is happening to patient care.

I was going to quote a number of complaints, but I have time to quote from only one—a letter that I received from a lady last month. I shall quote extracts from it, as it is about the real world of NHS bureaucracy and the Government's policies. She said:

"Dear Ms Squire,

I am returning to work after three months' leave following major surgery . . . I was in Ward 19 . . . and was astonished to find on my arrival that I was sharing a room with two geriatrics and two patients awaiting eye surgery. I was told that Ward 10—the original Gynae ward—had been closed last year to make way for another Day Hospital ward. In the course of that week . . . as the continual battle for beds went on . . . lack of funds meant that the ward lacked a permanent charge nurse . . . On my sixth day, my consultant informed me that I would probably be allowed home three days later but that unfortunately I would have to be moved to another ward otherwise he would be unable to perform the next day's operations . . . On my return from the bathroom about 9.30 am, my bed had been stripped . . . and so I sat in a chair until I was finally moved downstairs to a short stay ward at 1.30 pm"—

four hours later.

"One of the other ladies moved was 78 years old and had been moved five times in a week! . . . In my opinion, there are too many 'people in suits' with no medical knowledge who put money before patients' welfare.

My conclusion is that the Conservative Government is guilty of serious underfunding in health and, if it was not for the unstinting dedication of all professional and ancillary staff, the National Health Service would be moving ever more quickly into line with the substandard healthcare".

Those words speak more powerfully than mine. I challenge the Government to conduct a full investigation—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. Time is up.

7.37 pm

Mr. David Porter (Waveney): On one level, we should feel some sympathy for the Labour party, caught as it is on health policies with two faces, one of which is its more public soundbite, alarmist, shroud-waving face, which slams the Government at every opportunity; the other, its more private, supposedly honest, wishful-thinking-that-it-will-soon-be-in-power face, which has to recognise the fact that many Conservative reforms work, are popular with many health care professionals and are more effectively spending more public money to deliver an ever-improving public service.

What the Labour party is trying to do with its contortions of producing a credible alternative policy is to criticise the Conservatives and at the same time devise similar policies with other names. It cannot have it both ways. Even double-jointed contortionists cannot do that. We know that any health care policy must take account of the primary aim of the NHS: the appropriate and effective care of the people. It must then take account of the simultaneous relentless rise in public demand and expectation. Just witness hip replacements and cataract removals, which were unheard of just a few years ago but are now taken for granted as of right. It also must allow for developments in technology and changes in medical science and practice, including working practices. Then there is the ever-present reality of a finite resource, however much the economy grows. All that adds up to a complicated equation, and I think that it is a tribute to all professionals in the NHS and Conservative policies that we have such a success story with health in Great Britain.

One of many benefits of the reforms has been a move towards more localised responses to local needs. Where there are high incidences of asthma or a more elderly population than average, for instance, we can deliver a more local health service—an LHS within the NHS. That brings me to some specific comments about my own area. I am entirely in favour of doing away with needless bureaucracy, but, to me, that also means not letting the NHS bureaucracy lay down a model for local delivery that fits the bureaucratic mind but is not in the best interests of local people. For that reason, my hon. Friend the Member for Great Yarmouth (Mr. Carttiss) and I fought hard to oppose the break-up of the former Great Yarmouth and Waveney health authority, with the two halves going to Suffolk and east Norfolk. We lost that battle to the bureaucrats who advised the then Secretary of State.

We fought the fight, both locally and in the House, because the district general hospital, the local community hospitals and the health authority were seen to be very much part of the community. Since then, we have moved into a new era—and there is the possibility of moving even further, cutting bureaucracy and putting more money into patient care.

I have asked the authority to examine the set-up of the two health trusts that provide most health care in north Suffolk and east Norfolk. I am definitely not talking about a merger or takeover by the James Paget NHS trust, but a new trust—possibly called the Great Yarmouth and Waveney NHS trust—could be formed, and management costs of £1.5 million could be saved. I have asked for the money to be ring-fenced for the patients of Waveney and Great Yarmouth, rather than being reclaimed centrally. That has the potential for a creative and cost-beneficial reform of bureaucracy, although I recognise that some staff will not look kindly on further administrative changes.

In general, over the years, my area has seen agreement across the parties and consensus about people's health needs, regardless of how we represent them at different levels. However, as the next election has been getting closer, there has been a good deal of scaremongering from my opponents. One piece of panic-raising has concerned care of the elderly—hospital beds for them, and the viability of the community hospitals at Lowestoft,

Beccles, Southwold and Halesworth. The introduction of eligibility criteria has given rise to fears among elderly people that continuing care will not be available when they need it. That fear has been fed by local Labour activists who, apparently, can measure a service only by bed numbers—even empty beds—and seem incapable of looking at the totality of the service.

It is clear that the NHS has important responsibilities for arranging and funding care of people who require in-patient care under specialised clinical supervision in a hospital or nursing home in the voluntary or independent sector, but it must be funded by the NHS. Suffolk Health is closely monitoring the new eligibility criteria with a group of GPs, NHS providers, community health councils, carers and users. That is the local NHS at its best.

Labour is right to draw attention to occasions when the service falls short of expected standards, but it has neither told us what it would do if given a chance nor cited any of the thousands of daily success stories involving people living longer, more fulfilled lives thanks to our NHS, with waiting lists declining in Suffolk as elsewhere, more positive patient outcomes and the achievement of patients charter standards. I congratulate Suffolk health authority, and its chairman Joanna Spicer in particular. I also congratulate James Paget hospital and the Anglian Harbours trust on all that they have achieved, and express my confidence in what they will achieve in the future.

I do not expect members of the Opposition Front-Bench team to be interested in putting their views into perspective by reference to Suffolk, but I did expect their national account to reflect a more accurate picture, to support the health service and to tell us more of their own plans so that the public could consider them. All that we heard was, "Labour will renew the NHS." The Labour party should wake up to the fact that the NHS has been renewed during the past 15 years.

Health care in north Suffolk and east Norfolk has been transformed during the lifetime of the present Government. I know, because I use the service a good deal: I do not speak only as a politician. I use it perhaps more than the average amount, given that I have four children and a condition in my feet that is health care intensive. The service that I use is good and deserves to be commended, even as we seek to improve it further.

Mr. McLeish: On a point of order, Mr. Deputy Speaker. May I brighten up the proceedings—I hope that Conservative Members will agree about that—by informing the House that England is winning one-nil as a result of a goal by Shearer? As a Scot, I am quite glad to raise that in the House.

Mr. Deputy Speaker: That is not a point of order, but I am happy to allow it.

7.43 pm

Mr. Eric Martlew (Carlisle): I do not know whether you have heard the rugby results, Mr. Deputy Speaker. England is playing Wales tonight.

I am pleased to have been called, even on a day on which we should all be watching television, if not actually at Wembley. The debate is important. The motion concerns the way in which the Government have run down the NHS, and the way in which bureaucracy is choking the service. The position in my constituency is no different from that anywhere else. We now have 429 trusts, all with chief executives and board members, and all producing minutes stamped "Private and Confidential". In some hospitals, people have as much chance of meeting an auditor or accountant as of meeting a consultant—and the consultant is likely to be from Coopers and Lybrand, and nothing to do with medicine.

Reference has been made to the private finance initiative. So far, in my constituency, the PFI has produced a good deal of paper and a good deal of money for consultants and solicitors, but no new building. The same is true throughout the country. There are few big schemes, and in Carlisle the PFI has delayed a scheme by three years. That means that we are unlikely to get 474 beds for a new hospital—a figure decided not just by medical consultants in the hospital but by the previous chief executive of the Carlisle Hospitals NHS trust, Mr. Clive Moth. I think it only right to say something about Mr. Moth's unexpected departure from the trust. On 3 May this year, the trust suddenly issued a short press release saying that he was taking early retirement. When pressed on whether he would serve his full notice, the trust told us that he had already cleared his desk and left.

Mr. Moth was a crucial figure in the PFI scheme. He was negotiating with the Treasury, with AMEC, the only company involved in the bid—there was no competition—and with the Department of Health. No one in my constituency believes that he took voluntary early retirement: that is a fairy tale put about by the trust, which does no credit to the trust or its chairman. The truth is slowly starting to come out, however. It appears that Mr. Moth was not anxious to reduce the number of beds in the new development, or to reach a deal for the trust that would mean that it would not be able to afford to pay the rental in the future. He was not prepared to accept that the rent would be paid while patients would have to be turned away, so he had to go. We do not know whether he was forced out by AMEC or the Government; it could have been a combination of the two.

Miraculously, the Government just happened to have a spare civil servant to take Mr. Moth's place—a Mr. Peter Johnson. Mr. Johnson, a former Whitehall civil servant, had been sent north to arrange for hospitals to become trusts, and had done a good deal of work on the PFI in recent years. However, he had no experience of running hospitals in the recent past, if at all. I understand that he will do this last task for the NHS before retiring.

The football situation seems to be getting worse. I understand that the score is now one-one.

Mr. Johnson was given the task of putting the PFI through at all costs. Perhaps the Minister will be able to tell me whether the acting chief executive is on performance-related pay, and, if he is, what the target is. Is it to get the deal signed and the PFI hospital built? No other hospitals are currently being built. Can the Minister confirm that the Carlisle Hospitals NHS trust has a deficit of between £500,000 and £1 million? If so, will that mean redundancies?

The PFI scheme was originally part new build and part refurbishment. I understand there has been a departure from that specification and that the contractor, AMEC, is suggesting that it should build additional accommodation and take the central tower block, which was going to be refurbished. It is 30 years old but still in reasonably good condition. There are fears in my constituency that AMEC

[Mr. Eric Martlew]

will use the tower block for a hospital—it was designed for that purpose. We could end up with a private hospital right in the middle of the infirmary, which is not wanted by my constituents.

On 3 June, the hospital's medical staff committee unanimously passed a resolution that it would not accept fewer than 474 beds and that, if the trust accepted the contractor's proposal, the staff would not work with the trust. If PFI provides 474 beds and the trust can afford the project, it should go ahead—we have been waiting more than 20 years. If that is not the case, I am assured that in the past the Government have provided public money if a PFI scheme has not come off.

When I intervened on the Secretary of State, I said that things have changed since 1977, when Cumbria had one area health authority. The Secretary of State was wrong to say that there were district health authorities, but there were family practitioner committees. Cumbria's health authority had one paid member—and I declare an interest, because that person was me. I received £2,000 a year, which is equivalent to £6,600 today. I thought that I was most fortunate and it was a great privilege to chair that authority. Today, Cumbria has two health authorities and seven trusts. Each chair receives £17,000 a year and each non-executive member receives £5,000 a year. The total cost exceeds £330,000, which could be spent on patient care. The Government say that the number of regional health authorities has fallen, but if one adds them to the number of trusts, they total 529 quangos. Their chairmen each receives an average of £17,000 a year and the 2,645 non-executive directors each receives £5,000. Therefore, it costs £22 million to service the quangos with the Government's place persons. Cumbria does not need all those trusts. The ambulance trust is nonsense, and Carlisle has a community trust and a hospital trust when only one is needed.

I suggest to Labour Front Benchers that if those organisations are to be retained, their chairs should be paid a small salary—£6,600, equivalent to that paid in 1977—and the board members should receive compensation for loss of earnings and expenses. Those boards have brought no benefits to the NHS and the quality of the people who serve on them is no better than when I served on a health authority in the 1970s and 1980s. The big difference is that some people who served on boards in those days were known because they had been before the electorate and had won elections, so they were locally accountable.

Mr. Deputy Speaker: Order. The hon. Gentleman's time is up.

7.53 pm

Dame Jill Knight (Birmingham, Edgbaston): When I know that the House is to debate the health service, I always read what the British Medical Association has to say before I prepare my speech. One can always rely on the BMA to spread alarm and despondency. Sometimes, I think that BMA should stand for Boundless Misery Alliance. The BMA has attacked every Government reform ferociously and has portrayed every advance as a retreat. As generic prescribing, fundholding and trusts have been introduced over the years, the BMA has fought them tooth and claw. As time passes, the association realises how good are those reforms and its objections gradually peter out. Then the BMA says, "If there is the catastrophe of a Labour Government, we hope to heaven that they will not alter Conservative reforms."

The BMA only grudgingly acknowledges the ever-increasing amount of money allocated to the NHS and the extraordinary advances in expert treatments. Of course those advances are due to the cleverness of medical practitioners, but they also mean that the NHS has to find a great deal more money to fund them.

The leader in this week's *British Medical Journal* calls for a debate on rationing health care. It states that

"governments should come clean with the public and lead a debate on how best to ration health care"

and that neither the Government nor the Opposition face the facts. The leader continues:

"Most commentators accept that rationing is inevitable, but the debate keeps returning to this point because the politicians refuse to acknowledge it."

The word "rationing" is totally inappropriate in this context because it conjures up visions of hard-faced bureaucrats producing ration books, tearing out coupons every time someone visits a doctor, dentist, chemist or optometrist and saying, "You can't have an appendectomy, a hip replacement or a baby because you have used all your tickets."

I checked three different dictionaries for definitions of rationing in the Library. One was a

"fixed daily allowance of food served out for man or animal".

That has nothing to do with health care. Chambers dictionary defines rationing as a

"fixed allowance or portion, especially of food".

The Oxford dictionary defines rationing as a

"fixed allowance or individual share of provisions . . . daily allowance of food allotted to each officer or man."

It even mentions a ration of one pound of bread and three quarters of a pound of meat, and refers to an officially limited allowance for civilians in time of war. That has nothing to do with the problems facing health care.

Opposition Members should understand that the BMA is blaming them as much as us. The association says that neither party has the guts to debate the most important matter in health care today—rationing.

The *British Medical Journal* acknowledges that doctors have always judged whether a particular patient should receive certain treatment. There is nothing new about that. Suddenly, it has to be called rationing and there is a big public debate. The leader blows the gaff later. It states:

"We use rationing as a summary term to describe the process of choosing between beneficial services. We have adopted this term because it provokes the greatest public controversy."

In other words, it is all about frightening the horses. I wonder whether the BMA wants Government decrees on which patients should receive expensive drugs, whether smokers should receive cancer treatment, whether drinkers should be given liver transplants and whether there should be an age cut-off for any treatment. Surely those must be medical decisions. The BMA is totally on the wrong track. How can such decisions ever be taken by Government, or even by public agreement? The Government cannot decide whether or to what extent a patient might benefit from a particular treatment.

There might be a case for decreeing that fertility treatment for women over 55, for example, should not be allowed. Others might say that it is madness to spend millions of pounds on aborting babies, then spend further millions of pounds on enabling women who cannot have babies to have them. I can imagine the howls of rage from the BMA and from the medical profession if the House tried to lay down rules on those matters.

The BMJ article does not finish there. It goes on to state:

"The British Government likes to suggest that the drive for effectiveness will obviate the need for rationing."

I have never heard one Minister say any such thing in any speech, and I have never seen such a statement in writing.

Let us be clear about what the BMA is asking. I understand the BMA's position if it is suggesting that GPs should not be called out on trivial matters or that ambulances should not be called out—as many are—on very trivial matters when people could manage perfectly well to take themselves to hospital. However, this week's call from the BMA to demand that we have a great national debate on rationing is wrong.

It is right that we ask the public to regard the health service with some sensitivity, to recognise that we should not call out a doctor if one is not needed and that we should not call an ambulance if it is possible to get to hospital without one. That is not what the BMA is saying, and we should be absolutely clear about that.

Moreover, to help us in our deliberations, the BMA produced a paper for this very debate today. It is a parliamentary brief on bureaucracy and patient care. In that paper, the BMA states that there is

"a huge duplication of administrative effort",

but it does not describe that duplication. Of much more relevance, the paper states that a scrutiny team's report on administrative overweighting, produced in July, was welcomed by the Government, and its recommendations will be implemented by December this year. Simpler claim forms will be in place by next Monday. The BMA is therefore saying in this briefing paper that the issues that the BMA has raised with the Government on bureaucracy and overmanning have been well addressed.

The paper speaks of the turmoil in public district health departments because of the Government's initiative to reduce management costs. I point out to Labour Members that they cannot accuse us of doing nothing when the BMA has itself made it clear that we are doing something.

I realise that all hon. Members have an extremely short time to speak in this debate, and that others have still to speak, but any hon. Member who thinks that any Government of any colour will be able immediately to address every medical need as it arises—such as a preferred doctor or hospital—is living in cloud cuckoo land. Our record on health care is very good, and I support it all the way.

8.3 pm

Mr. Richard Burden (Birmingham, Northfield): I do not know how to follow that speech, Mr. Deputy Speaker. However, I shall take you back almost a year—to 3 July 1995—when there was a debate in the House on the national health service. I made a speech in that debate, in which I told the House about a primary health care centre in my constituency. Actually it was not "in" my constituency—but it was scheduled to be built in my constituency.

I told the House about how that project—which had been promised several years previously and talked about for many years before that—had not yet been started. The first reason was that—as a result of the market mechanism imposed by the Government on the NHS—none of the trusts could decide which of them had the responsibility to build that primary health care centre.

We had also been told by the then regional health authority—the West Midlands regional health authority, which was particularly popular with the Government—that the capital had been made available. However, last year, I was told that there would be a further delay in building the primary health care centre because—although the capital had been earmarked some years before, and the problem of who had the responsibility to co-ordinate its building had been overcome—the project had to be financed through the PFI. I was assured that matters would still be all right. I was assured that all the tenders would be in by last October, a business case would approved, and that matters would be well in train by this year. That is the problem.

The first stone has not been laid in the primary health care centre. As late as last January, I was still being told by the health trust and by managers that the project was on track. However, a couple of weeks ago, it transpired that the health care centre will be delayed yet again. Why is that? It has been discovered that the PFI—which is much vaunted by the Government—cannot produce the goods for it. Two years after the capital was allocated, the project was delayed because of market operation. It was then put through this ridiculous mechanism, the PFI, which did not work in the first place.

I shall quote from a letter that I received from the developers of that site—called Rubery Hollymoor—who put in a bid and have now found that their bid is unacceptable. They said:

"You will be aware that the assessment criteria for PFI schemes are constantly changing and without a clear direction many consortia involved in healthcare projects are becoming increasingly frustrated. Our consortium alone have expended approximately £100,000 in abortive costs on this relatively small scheme.

The sad fact is that unless public sector funding can be secured for this project in the very near future, the local community will not have the benefit of the planned facility for several years."

They enclosed a copy of their most recent letter to the trust.

The fact is that something that was promised some years ago has still not been built, and it is now in question. I ask the Minister whether he will now guarantee that the finance and capital that was promised all those years ago will be made available. He may say that he cannot answer that question without some notice, but last week in Health questions I asked this Minister—the Under-Secretary of State for Health, the hon. Member for Orpington (Mr. Horam)—that very question. I asked him whether it is fair that local people should be denied facilities that they have been promised because of a scheme that they did not invent or ask for, but which the Government have imposed on them.

I am glad that the Minister is in the Chamber today. In reply to my question last week, he told me:

"I do not know the particular scheme to which the hon. Gentleman refers, but I shall look into it. None the less, the PFI is accelerating the process. We are breaking out of the traditional system whereby

everybody has to wait for the Treasury—waiting for Godot, one might say. If the scheme is good, provides value for money, and the risk is properly apportioned, it can obtain private sector finance. We are talking about a new era for hospital building in Britain, yet we still do not know what the Opposition think about it."—[*Official Report*, 18 June 1996; Vol. 279, c. 678.]

I will tell the Minister what I think about it. I am all in favour of trying to attract private finance when it speeds matters up, when it helps and when it is additional. I am not in favour—I do not know anyone who is, apart from Conservative Members—of schemes that delay the process, cost the private sector thousands of pounds and destroy their confidence, or that end up requiring public funds but with question marks over a capital budget that was supposedly already there.

In his reply, will the Minister for Health tell the House what that scheme and other PFI schemes have cost the NHS in bureaucratic costs, paperwork and preparation? What have they cost the private sector? Will he give a guarantee—no ifs, no buts and no plans—that that primary health care centre, which has been demanded by the people of Longbridge and promised to them, will be built next year? If he cannot give that guarantee, the private finance initiative, in the way that it is operated by the Government, will be shown up for the sham that it really is.

I want to touch on one other area that also concerns primary care—community services. For too long, that has been the Cinderella service of the NHS. Time and again, Ministers tell us that waiting times are coming down. I acknowledge that, in parts of the acute sector, waiting times have come down, but why do Ministers never give all the figures for all the services provided by the NHS? Why are they rather vague when they talk about community services?

In my constituency, a little five-year-old boy called Matthew Kelsall has been on the waiting list in Birmingham for occupational therapy since May 1995. His mother was told that he would probably be seen in July this year. She has now been told—after pressure from me—that an action plan is being drawn up to improve services and to tackle the waiting list. The result of that action plan is that Matthew is not likely to be seen until December. I may not be very good at sums, but I think that that is a rather longer wait than was originally promised.

That is the operation of the market. It is the way that the health service is being treated by the Government. Community services—the services that are less visible and so do not catch the headlines—suffer time and again. When will the Government come clean and admit that they have not properly funded the waiting list initiative? When will they come clean and admit that they have funded it by borrowing against the future and borrowing from general practitioner underspends? There is no continuing commitment to fund the waiting list initiative.

At the end of the waiting list initiative, when waiting lists are, perhaps, down a little more, how will the Government maintain that improvement? Will they put in the necessary money? Is so, where will it come from? Or will they allow waiting lists to rise again? If they do put the money in, will it be taken from other parts of the NHS? Will it once again be dragged away from community services, family health care services and so on? The public have a right to know.

The Government have trumpeted their so-called waiting list initiative, but the public should know the full truth about what will happen to it. They have a right to the community services that they require. Earlier, the Secretary of State said that the NHS is now led by primary health care. Despite the best efforts of the staff who work in primary health services and in community services—the front-line staff and the managers—the circumstances under which they operate, the market mechanism and the way that resources are being diverted away from primary health services give the lie to the Minister's claim. They and the House have a right to expect straight answers from the Government.

8.13 pm

Mr. Piers Merchant (Beckenham): I welcome the opportunity that the Opposition have provided today for a debate on health. There needs to be a serious debate on the dilemma, which all future Governments will increasingly face, of an almost limitless demand for new health provision, following more and more innovations, and the limited resources available. Unfortunately, the Opposition have ducked that debate. Instead, they have reduced the level of discussion to party political point scoring. That is a great pity, because that debate should take place.

The Opposition want to talk about all the things that they can find wrong with the national health service as well as a great many things that they cannot find wrong, but which they invent. The most obvious recent ploy has been to talk about bureaucracy because they think that will go down well with the public. The reality is that if they stripped out dozens of administrators, either it would be impossible to obtain an efficient use of resources or the clinicians would end up doing administrative tasks when they should be looking after patients.

The Government have been tackling the whole issue of bureaucracy, to try to keep it to a minimum. They have introduced a whole series of initiatives over the past few years: the abolition of the 12 regional health authorities—a whole tier of administration taken away, but a move that the Opposition opposed—the joining together of district health authorities and family health services authorities; the reduction in the number of health authorities in Wales; the requirement for a 5 per cent. reduction in administrative costs across the board; as well as the efficiency scrutiny teams that have quite literally cut out millions of forms. In my area, the Bromley Hospitals trust has saved £350,000 by streamlining its management operations through natural wastage, without affecting either clinical standards or staffing. It has done away with two director level posts to gain the greatest efficiency from the minimum number of administrators. That is the reality on bureaucracy.

I want to deal with a few of the issues that are of concern to real people. First, there is the issue of waiting lists. There have been waiting lists ever since the NHS started, but, quite naturally, patients want them to be kept to the minimum. That is precisely what the Government have achieved. Waiting lists have been reduced to their lowest-ever level. In fact, the last figures that I saw showed that the number of patients waiting more than a year for an operation had fallen to only 4,000—the lowest level since 1948. They also showed that 50 per cent. of all patients are treated immediately, a further 50 per cent. of the remainder are treated within five weeks and 75 per cent. of the remainder within three months. In my area, Bromley Hospitals trust has reduced to zero the number of patients who wait for more than one year and its overall waiting list has come down by 25 per cent.

Secondly, all areas have benefited from new facilities during the past few years, not least the area that I represent. However, we are badly in need of a new acute hospital, as my hon. Friend the Minister knows only too well. The advance plan for a new acute hospital has reached the PFI stage and three tenders are expected by the end of July, with a firm business plan by October and a financial agreement by the end of the year. I hope soon to see the plan set in bricks and mortar.

That is being provided on top of the significant investment that has already been made—for example, a new day treatment unit that has resulted in a 25 per cent. increase in day cases. I visited the unit after it opened in March. It is an excellent unit that has been warmly welcomed by both clinicians and patients. At the local community hospital in Orpington, my hon. Friend the Minister's constituency, there has been a £2.4 million investment to upgrade its services. Last year in Beckenham, my constituency, £1 million was spent on new facilities for local people—a minor treatment unit, new diagnostics, a paediatric clinic, community health facilities, education and so on. All those have brought great benefit to local people. In May, there was a 16 per cent. increase over last year in patients being treated.

Thirdly, there were problems with accident and emergency facilities earlier this year, especially in January when there was an unprecedented level of demand. Like other health authorities, Bromley has taken firm action to deal with the problem. Between last September and March, waiting time in Bromley hospitals has been reduced by a third. In Bromley hospital itself, where the A and E unit is located, there have been a number of major innovations—a new consultant; minor treatment facilities that screen out people who do not need major A and E attention, which makes the system more efficient; two new wards; some specialised beds to look after people with the most serious illnesses and injuries; and a new observation ward. So major work has been done that matches investment into the three next nearest accident and emergency hospitals, all of which have benefited in the past year by investments of £1 million or more.

At Bromley hospital, £1.26 million will be spent on new investment this year and about £900,000 in the following year—all to improve the accident and emergency facilities. I am very happy that that problem, which should not have occurred but did, has been swiftly dealt with, the necessary money has been provided and the necessary investment has been carried out. I am sure that that is already delivering great benefits.

Developing and widening primary care is of the essence. I am delighted with the Government's approach to that—part of which, of course, is the extremely beneficial GP fundholding scheme. The widening of the scope of GPs' provision will not only satisfy patients, who would prefer services to be available from the GP whom they know, trust and can get on with easily and to whom access is easy, but take pressure off hospitals. It will take pressure off A and E departments because minor injuries can be handled by the GP, off consultancy services because they can sometimes be provided at the GP's clinic, and off diagnostics because, although much of it has traditionally taken place in hospitals, it can now be carried out by GPs.

It is time that the great advances that have been made in the NHS and the great benefits of the Government's reforms were properly recognised. It is time that the Opposition paid proper tribute to the teamwork between clinicians and administrators who, by working together, are essential to the many excellent facilities and success stories in the NHS—they exist, whatever the hon. Member for Peckham (Ms Harman) may think. Most important, it is time that the Opposition stopped the point scoring, the double think and the double talk, and recognised the reality of the excellent NHS and the extent to which it has improved as a result of the Government's reforms.

8.21 pm

Mr. Robert Ainsworth (Coventry, North–East): I want to use this debate to raise two local issues that are causing great concern in the Coventry area. They are, first, the impact of the Government's policy, including the private finance initiative, on the hospital services in the city, and secondly, if I get time, health inequalities.

The Secretary of State said that the PFI had freed the national health service from short-term capital restrictions. Actually, what has been achieved is nothing other than delay. In 1987, Walsgrave hospital, the biggest hospital in the Coventry area, was identified as in urgent need of capital repairs. It is a 1960s building that looks fine from the outside, but, as hon. Members know, buildings built in that period cause some grave concerns. The hospital was in the queue for £20 million, but reorganisation by the Government, who insisted that there was far too much inefficiency in the NHS and intended to sort it out, put that capital allocation on hold, and the much needed work was not done.

We in the area were then told that, if the hospital applied for trust status, we would get the required capital. Walsgrave hospital did exactly that, and became a trust in the second wave. We cleared all the hurdles right up to political clearance at ministerial level for a £30 million capital allocation that was needed by the hospital. Then the Government changed the rules again and said that all capital must be referred to the PFI. Again, the capital allocation was cancelled.

Many good news stories have been generated during the process. We heard, "Good news—Walsgrave is in for a £30 million bid." Halfway through the PFI process, we heard, "Good news—Walsgrave is in for a £50 million bid." Now that we are down to one preferred operator, we hear, "Good news—Walsgrave is in for a £100 million bid." The proposed deal is basically for large land disposal, extensive development and 25-year control of clinical and non-clinical services. There is much to be commended, but some great concerns have been thrown up by a dilemma.

The second hospital in the city, Coventry and Warwickshire hospital, is on a central site. As part of the proposals—although those who are putting the good news spin on the story are trying to keep the two separate—the Coventry and Warwickshire hospital will all but close. My fear is that we will get the very worst of all worlds.

Birmingham central hospital was replaced by a minor injuries unit in order to offset public concern at the loss of facilities. It closed within a year. There is massive concern in Coventry that it will get exactly the same treatment. There is great public pressure to keep facilities in the city centre. It is a good location that is accessible to the entire city. I fear that we will get a minor injuries unit that will dissipate public concern and get rid of the

[Mr. Robert Ainsworth]

pressure. In order to push the main proposals through, we will wind up with an unviable facility that will close within a relatively short period at cost to the public purse.

The other concern among people is affordability. As I said, we are down to a single bidder in the PFI process, but there is a huge gap of millions of pounds—I cannot get the information to pin the figure down—between what is in the district health authority's budgets that would fund the PFI proposal and what the private sector is saying that it wants in order to make the scheme work. The public money is simply not there, unless the Minister is prepared to give assurances that there is an alternative public route to the necessary works at Walsgrave.

Alternatives are not available, so what on earth is going to happen to health service budgets in order to lever in the PFI proposal? What will be scrapped? What will be chucked aside? What savings will be made? What will it mean for the terms and conditions of people who work there? What will it mean for the actual service by the time the private sector has knocked it into shape to get the profit that it needs to fund the 25-year, £100 million proposal?

Another concern I have over the way in which the Government are operating the PFI, which all hon. Members are entitled to have, is about the process, and the lack of accountability. The proposed scheme in Coventry has come out at twice the original cost at the end of a nine-month process, during which, as a Member of Parliament, I have been offered access to the detail only on the basis that it is private and confidential, and that I share it with absolutely no one.

The chief executive of the community health council has been told by the chief executive of the Walsgrave Hospitals trust that the PFI is nothing to do with the CHC; it has no remit whatever to consider the PFI, despite the fact that the proposal will effectively set the scene for health service delivery in the entire city for many years to come. That is quite disgraceful. There are grave concerns about the loss of city centre provision and the affordability of the scheme. The last thing we want is a hospital that no one can afford to run or use, as I understand already exists in Solihull.

Will alternative funding be available? I want the Minister to say what control he is prepared to give up in return for the risk transfer. Even if we can shoehorn the proposal into the existing budgets, the private sector will not be prepared to accept the risks involved in running clinical and non-clinical services for a 25-year period without having total control.

Another issue, which I shall have to raise briefly because of the 10-minutes rule, relates to health inequalities. Much work has been carried out in Coventry to identify the scale of the problem there.

Earlier this evening, we discussed funding inequalities. Hon. Members know jolly well that proposals were made to ensure equality of funding across the nation, but they were rejected or amended by the Government in the most deplorable way. Although Coventry suffers as a result of funding inequalities, I shall concentrate on health inequalities.

Research conducted in Coventry some time ago, which has not been challenged, proves that, on average, men living in the more affluent parts of the city such as the Bablake ward live nine years longer than men living in the Henley ward. Women in the Earlsdon ward live 10 years longer than women in the Henley ward.

Research on child health issues demonstrates further inequalities. The results of a study conducted in Coventry show that, if national statistics were applied to Coventry, 20 out of 47 stillbirths or first-week deaths of infants would have been avoided. It shows that 13 out of 31 neonatal deaths would have been avoided, and that 200 out of 383 infants born under 2,500 g would have avoided that difficulty.

The broad thrust of those findings is that the problem in Coventry is worse than the national average by more than a third. That must apply to other cities, as our problems are no worse than theirs. It is an absolute disgrace that those problems should occur in a so-called developed western country. One would expect them to be limited to third-world countries as we approach the end of the century. Nothing is being done to address those issues.

Mr. Deputy Speaker :) Order. Time is up.

8.31 pm

Mr. Peter Luff (Worcester): Having listened to the speeches of the hon. Members for Carlisle (Mr. Martlew), for Birmingham, Northfield (Mr. Burden) and for Coventry, North–East (Mr. Ainsworth), I have started to feel sorry for the Opposition. I realised that they have to believe—or try to believe—the worst of absolutely everything, when the reality—if only they would look at it objectively—is so very different. I now know where Eeyore's sad and gloomy place is—on the Opposition Benches.

If time had permitted, I had hoped to share with the House an article written by Roy Porter, a medical historian at the Wellcome Institute for the History of Medicine, that states that the problem goes back some 200 years to the 18th century. It is not so much new Labour as very old Labour indeed.

How refreshing it was to hear the speeches of Conservative Members, particularly the speech of my hon. Friend the Member for Beckenham (Mr. Merchant). My experience reflects his. New facilities have been provided in partnership with the private sector at Evesham community hospital and the Spring Gardens health centre in Worcester. The Worcester royal infirmary has a new accident and emergency service and improved rheumatology services, and we are to have a new hospital at last, having been in the queue for 30 years.

Opposition Members wring their hands in despair at delays of a year here and there. I do not want delays in the building of hospitals, but we have been waiting 30 years for a new hospital under the old Treasury capital funding system, and the PFI gives us the hope of getting one at long last.

The short title of the debate is "Bureaucracy and Patient Care in the NHS". We are all enemies of bureaucracy and in favour of patient care. Bureaucracy is a word that was coined in the 19th century. John Stuart Mill wrote in the "Westminster Review" of

"that vast net-work of administrative tyranny . . . that system of bureaucracy, which leaves no free agent in all France, except the man at Paris who pulls the wires."

A bureaucrat is defined in the Oxford English Dictionary as

"An official who endeavours to concentrate administrative power in his bureau."

We are all against bureaucracy, but I hope that we are in favour of management. There are four pages in the Oxford English Dictionary defining management, and almost all are complimentary. I thought that it was common ground across the House.

My right hon. Friend the Secretary of State reminded us that, when the right hon. Member for Derby, South (Mrs. Beckett) was the Opposition spokesman on health, she said on television:

"I don't think it's really in question any more that the traditional NHS was under-managed".

One would not think that from the speech of the hon. Member for Peckham (Ms Harman) this afternoon.

I am dispirited by the dishonesty of Labour's attack. A year or two ago, the Opposition targeted company cars, some of which are used by district nurses and health visitors. They totally ignored the reclassification of many nursing grades as managers in their artificially inflated figures for so-called bureaucracy, and, as Conservative Members have repeated time and again, they have resisted every serious attempt by the Government to reduce bureaucracy. They have opposed it nationally and locally.

Labour voted against the abolition of regional health authorities. That saved hundreds of jobs in my region, and released thousands of pounds for better patient care. Locally, the former Labour leader of Worcester city council recently urged his Labour colleagues on the community health council to vote against the merger of two community health trusts. That would have reduced bureaucracy and released funds for patient care. Labour says one thing and does another.

When will Labour come clean on where it stands on my right hon. Friend the Secretary of State's attempt to reduce administrative costs by 5 per cent. in cash terms or 8 per cent. in real terms? It is extraordinary that we have heard nothing about that.

Of course I understand that the change that the Government have brought to the health service threatens established relationships. It makes consultants feel uncomfortable and imposes extra burdens on GPs, but huge benefits flow from that change. GPs are responding magnificently in seeking to reduce bureaucracy. The "GP links" initiative has reduced the number of forms that GPs need to fill in for the health authority. Many practices have direct computer links to the health authority, vastly reducing the administrative burden.

The "patients, not paper" initiative has responded to exactly the same concern. Extensive consultations with GPs and practice managers have achieved dramatic results. Forms have been simplified and eliminated, in a way that would gladden the heart of my right hon. Friend the Deputy Prime Minister.

Form GMS1 for patient registration replaces eight old forms. The new maternity form GMS2 replaces three old forms. Form GMS3—the multi-purpose claim form for non-registered practices—replaces eight old forms. Form GMS4 is a new payment booklet that replaces nine old forms. Those four new forms replace 28 old forms. What an achievement that is, and what a dramatic increase in bureaucracy. For the benefit of *Hansard*, that was said with irony.

GP fundholders have cut red tape. They are providing in-house services leading to better patient care and less bureaucracy. They provide physiotherapy services, out-patient clinics and surgical procedures. Some GP practices even offer vasectomies. There are electronic links with hospitals making direct bookings for day case surgery offering patients the choice when they want to be treated. They are improving communications with consultants and reducing unnecessary follow-up out-patient attendance by seeing their patients in their surgeries. They are providing better patient care and less bureaucracy time and again.

Where does Labour stand? What is Labour's policy? I think that we heard it from the Front Bench, although I was unclear earlier. It is to strengthen the power of bureaucrats in the national health service by abolishing GP fundholding and returning responsibility for purchasing to the health authority bureaucrats—managers, as I prefer to call them. They are the very managers who now recognise with stark clarity that GPs are in the best position to manage patient care.

The role of NHS managers in a primary care-led NHS should be to facilitate greater purchasing by GPs. They should manage the performance of GPs and hold them to account, but they should not buy services for patients they do not know and will never meet. The success of GP fundholding in my area is a great tribute to the system, and all the scare stories have been proved false. No practice has overspent in the year that has just ended, and the resources have been used by GPs significantly to improve services. They have done so, for example, by increasing the number of social workers in practices.

The trouble that the Labour party has in this debate is the thought that dares not speak its name and which lurks behind all its rhetoric. The shadow Chancellor will not let Labour Members speak that thought, which is, "Is there more money or not?" That is the question they cannot and will not answer. It is true that the UK spends less on health than most other OECD countries, but that is not because the Government have not provided the expenditure. Other countries are spending more because there is increased spending by free citizens on private health care. Perhaps that is a policy that Labour might like to consider—giving people choice, something that the Conservatives favour.

The BMA says that an extra £6 billion is needed—a figure plucked from the air. It reminds me of what J. Paul Getty said in response to the question, "How much money does it take to be happy?" He replied, "Just a little more." That seems to be the policy of the BMA. In fact, the Government have given a lot more, but there has been little gratitude from the BMA. I must be careful what I say here, but I work in the Lord Chancellor's Department as a PPS, and I am used to professional groups wanting "a little more" and dressing it up as professional concern.

Labour's misrepresentation constantly shocks and amazes me. It chooses the few figures that suit it, and ignores all the others. There are great Labour press releases about the reduction in bed numbers. However, I judge the success of the NHS not by how many beds it has, but by how healthy the country is and by how many patients it treats. The NHS is not an hotel—it is meant to make people better.

Labour ignores the increase in resources and the increase in the hospital building programme—something it cut the last time it had control. It ignores the real terms increase in staff pay—something, again, that Labour cut when it last had control. It ignores the reduction in waiting

[Mr. Peter Luff]

times, although a disparaging reference was made to it earlier. Labour ignores the fact that there are 55,000 more nurses and midwives and 22,500 more doctors and dentists. That is 85 nurses and 35 doctors for every constituency in the land.

I am not saying that there is no more that we could do, as there is always more to do. For example, we could help pharmacists, nurses and therapists to play a wider role in the NHS, and give more of them the ability to prescribe. A practical suggestion is that we could review the NHS superannuation regulations to enable practice nurses to work together effectively. The real test of the health service is what it is doing. The Government have increased life expectancy in this country by some two to three years, and that is the real test of what our health service is doing today.

8.42 pm

Mr. Jacques Arnold (Gravesham): This debate is about bureaucracy and patient care in the NHS, and I would like to concentrate on patient care.

The Government have carried out massive reforms of the NHS, and the British people should judge patient care within the NHS by the results. In the past year alone, the NHS has carried out 8.6 million consultant episodes in our hospitals.

It is worth reflecting that in the four years since the reforms the number of such episodes has risen by no less than 25 per cent.—a massive increase in health care. I well remember that when I first entered the House the talk in the NHS was very much about waiting lists. It is worth noting that, following the reforms, no more people are waiting more than 18 months for an operation, and the 12-month waiting list has fallen throughout the country to just over 4,000 people.

That is no surprise, as the Conservative Government have spent an immense amount on the NHS compared to the previous Labour Government. There are now 55,000 extra qualified nurses and midwives and 22,500 extra doctors and dentists, so we should take no lessons from Labour about our record of improving health services and about the treatment given to our constituents.

The motion refers to bureaucracy in the NHS. There has been an increase in the number of administrators in the NHS, but let us be clear about what has been going on. We always used to take pride—and perhaps some amusement—from the fact that the NHS was the largest employer in the world after the Indian railway and the Red Army. The massive bureaucracy that we inherited from Labour has been transformed into a new structure that provides better health care for our people.

In making this massive transition, the scope for cock-ups and disasters has been immense. Therefore, I do not begrudge the Government and the NHS taking the sensible decision to manage the transition as they have done. We must not put at risk the lives of patients. There are massive transitions in industry, but we are not talking in this case about tins of beans that can be left out in the rain as a result of a change in management practices—we are talking about the lives of our constituents. The Government have had to think carefully about the administration of the transition. It is worth bearing it in mind that, in this year alone, the Government have set a target—now that the reforms are bedded down—of an 8 per cent. reduction in the administrative costs of the NHS. Unsurprisingly, Labour made no mention of that policy decision in the motion.

Where are the bureaucrats and administrators? They are up front and at the sharp end, ensuring that we get value for money from our NHS. For instance, there are now more secretaries, bursars and administrators in fundholding practices to ensure that, under the direct control and instruction of GPs, efficiency is achieved. More than half my constituents now receive excellent services from general practitioners who have chosen to become fundholders. Why have they done so? They have done so because they care about the health of their patients and they want to be able to get things done. That is precisely what they are doing by investing the funds available to the NHS much more sensitively. Considerable as those funds are, we want value for money.

Fundholding practices are now contracting consultants to their surgeries. One of the fundholding practices in my constituency now has a physician consultant once a week, a surgical consultant every fortnight and a urological consultant every month. The practice is bringing more and more expert health care closer to the patient. But that needs to be managed and administered so that the practice gets the maximum value from those consultants by carefully timetabling and co-ordinating what needs to be done.

Proper administration is a good thing, but that is not mentioned in the motion. During the transition, we said goodbye to the massive bureaucracy so beloved of the Labour party. In my area, the regional health authority, which has a vast building at Bexhill-on-Sea, is a thing of the past. It has packed its tent, and gone off to goodness knows where. But we no longer have that massive bureaucracy trying to direct health care in my area from all the way up the Sussex coast.

Likewise, the district health authority's vast bureaucracy at Darenth Park is no more, and I am delighted to see that even the buildings have been bulldozed. As I told the House this morning, the whole area has been cleared for our brand new £100 million district general hospital. That is being built not thanks to the old-fashioned capital provision arrangements to which the Labour party is harking back but because of the PFI. Hospital work is well advanced for that site.

The purpose of administrators is to help to reduce waiting lists. When I became a Member of Parliament, one of the first problems that I encountered at my surgery was constituents complaining about the handling of their bookings for consultations at hospital. They were called 20 or 50 at a time, like so many potatoes in a row and stuffed in a waiting room. Consultants suited themselves about how many patients they would see and in what order. Under the old Labour system, consultants were responsible to the region for contracts, so the local hospital service had no control over them. When consultants had completed the time that they had deigned to make available, patients were sent packing to book another time. Under proper administration, with the efficiency required by the Conservative Government, patients are seen on time.

The hon. Member for Peckham (Ms Harman) spoke with ghoulish glee about patients whom she claimed had to lie on trolleys in corridors. She does not realise that in

any big business such as the health service decisions must be made. To be certain that beds will be available for a peak demand from accident and emergency departments, 20 per cent. of bed space must be left unutilised to ensure that there is enough room for emergency admissions at all times. A choice has to be made. Should bed use be kept down to 80 per cent.? If so, higher waiting lists will result, as they did in the past. The number of operations achieved by the NHS has gone up and up while waiting lists have gone down and down because of the maximum use. The price that we pay is that at times of unexpected peaks, which, thank goodness, are comparatively rare, patients may have to wait on trolleys.

We must understand that trolleys are not like the things Mrs. Mopp wheels the tea through offices on; they are like mobile hospital beds. Their mattresses are thinner than those of hospital beds for obvious clinical reasons. The pejorative use of the word "trolley" is a misnomer. If beds are run at high usage, cancellations of constituents' operations will occasionally result.

Mr. Deputy Speaker: Order.

8.52 pm

Mr. Kevin Hughes (Doncaster, North): Once again, we are debating health issues at an embarrassing time for the Government. Then again, every time that we debate them it is embarrassing for the Government. We can tell that from the tirade of personal attacks that have been launched on my hon. Friend the Member for Peckham (Ms Harman), not least by the Secretary of State. He and other Conservative Members have launched such attacks, rather than political ones, because they are bankrupt of policies. Never mind what the Secretary of State said; I have every confidence that my hon. Friend will be the Secretary of State for Health after the next general election.

The British Medical Association is holding its annual conference, at which it has warned that disaster threatens our national health service because of the exodus of general practitioners. The issues that we are debating show why doctors and nurses suffer from low morale and are leaving the medical profession and why most people do not trust the Tories with our national health service.

It is obvious that bureaucracy in the national health service has risen sharply since the reforms of 1991. Even the Government admit that. However, they have failed to clarify to the public how huge the rise is and how detrimental the misallocation of resources is to patient care. They keep saying that the NHS is funded sufficiently. Yet at a time of limited resources, they have introduced reforms that have sent the bill for NHS bureaucracy rocketing sky high. At the same time, patient care is suffering because of a lack of funding.

More than one in six NHS acute beds have been cut since 1990—7,664 beds were cut in England last year alone. Patient services are being cut. Paediatric intensive care has faced a crisis. Accident and emergency provision faces financial catastrophe. Only this week, the chairman of the BMA commented that dangerous cuts in funding were sinking the NHS, yet the Government do not respond to the crisis. They do not listen to the medical profession. The cost of bureaucracy in the NHS continues to soar.

Today, Labour released figures on administrative spending by health authorities that highlight the huge rise in bureaucracy. In the Trent region alone, the cost of bureaucracy rose by £32 million to more than £90 million—a rise of nearly 55 per cent. in only four years. That is the highest rise of any region. During the same period that administrative costs have soared, patient care has suffered because of the lack of financial resources: 2,986 beds have been cut in Trent region since 1990-91. That is a shocking 13 per cent. of its total beds. In the past year, the number of cancelled operations in the region has risen by 36.5 per cent. and the number of nurses has been cut by 9 per cent. in only five years. However, in the same period, the number of managers in the region has increased by a staggering 470 per cent.

In Doncaster, the purchasing administration budget has risen by £641,000 in only three years—an increase of more than 25 per cent.—yet patient services have had to be cut at local hospitals for financial reasons. It is absurd. Money is being thrown into paperwork, management and massive bureaucracy in negotiating contracts while patient services are being drastically and wrongly cut because of a lack of resources.

Primary care is also suffering from increased bureaucracy. GPs feel that additional bureaucracy is putting them under pressure and that patient care is therefore suffering. Many responses to our recent consultation of GPs concerned bureaucracy. There was frequent mention of the massive increase in the paperwork involved daily in general practice. Comments that I received from GPs in my constituency highlighted concern about mushrooming bureaucracy and the increase in the management tier, which needs to be kept in proportion to the number of people being managed.

The BMA also condemns the increase in bureaucracy, citing it as a reason for

"GP morale being at its lowest ebb for many years",

and warns that that is

"stifling innovation and the further development of patient services in many practices."

A 1992-93 survey of GPs' work load showed that the reported average weekly time spent on practice administration associated with the provision of general medical services had increased by 85 per cent. since 1985-86.

In a survey carried out by Middlesex university earlier this year, 98 per cent. of GPs questioned complained that their paperwork had increased by nearly 90 per cent.

It is clear that the changes in the NHS brought about by the Government are swamping GPs with paperwork and damaging patient care. Britain has an excellent record on primary care. We cannot let the Government go on pushing it past its limits.

The GP fundholding scheme has increased spending on managers. Management costs within health authorities and extra contracting and transaction costs for trusts are not met by efficiency savings. Those are the findings of the Audit Commission; they are not mine. GP fundholding carries a huge burden of increased bureaucracy. Management costs are as high as £80,000 per practice. A recent NHS executive report comments that GP fundholding carries a significant administration tail, which, in a number of places, is excessive.

In addition, hospital trusts are being financially hammered by the costs of administrating fundholding contracts. The NHS executive report states:

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"Income from fundholding for most Trusts is between 5 and 10 per cent. of the total revenue . . . yet most employ at least twice as many people to support fundholder contracts . . . as they employ to support the Health Authority contracts."

The amount of paperwork generated by many individual contracts is astronomical.

Another problem concerns GP fundholder underspending. Underspending by GP fundholders in the Doncaster area has resulted in £900,000 not being spent on hospital services. That has resulted in two hospital wards in Doncaster being closed. GP fundholders' underspending is being blamed for those hospital ward closures. It is not just me who is saying that, but people at the Doncaster royal infirmary as well.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Hughes: No, I will not give way because my colleagues are waiting to speak.

The sad fact about the Government and their changes is that market forces do not work in health care. The reality is that market forces driven by the Government are wrecking our health services. The truth is that our health service is not safe in the Government's hands and everybody except Conservative Back Benchers knows that.

9.1 pm

Mr. Hugh Bayley (York): I shall speak briefly about paediatric intensive care in Yorkshire because current provision is wholly inadequate. It is inadequate to the point that it is putting the lives of children at risk.

In the whole of Yorkshire we have just seven general paediatric intensive care beds to serve a population of more than 1 million children. It is one of the worst population-bed ratios in the country. Five of those paediatric intensive care beds are at Leeds general infirmary and last year it had to turn away 75 desperately ill children during the year, 61 of them during the winter months, because all the beds were full and none could be made available.

On 6 March the Secretary of State made a statement to the House about improvements that he intended to make to intensive care services. He promised that those extra beds would be in by the coming winter. The Yorkshire regional health authority carried out a study of the needs in our region and determined that three extra paediatric intensive care beds and six extra high-dependency beds were required.

The local purchasing authorities have agreed to fund just one of the nine additional beds which the regional health authority decided were required. That shows the consequences of the Government's NHS internal market working at its worst. Year after year of efficiency savings have forced hospitals to cut beds; but the pressure to cut beds is greatest on intensive care beds because they are the most expensive. That leads to the perverse result that the beds of which there is the severest shortage are the very ones needed for the most severely ill patients.

Earlier, my hon. Friend the Member for Peckham (Ms Harman) referred to the case of Nicholas Geldard. Let me remind the House briefly of what happened to him. He was a 10-year-old boy who was taken ill. His parents called an ambulance and he was taken to Stockport general infirmary. The casualty department decided that he needed a scan but did not have a scanner, so an ambulance was called to transfer the child to Stepping Hill hospital. It took an hour to arrive; by the time the boy got to Stepping Hill hospital the scanner had closed for the day. It operates only from nine to five. So it was decided to leave the scan to the following day. When the child became more ill in the night he was transferred to Hope hospital.

At the Hope hospital a brain haemorrhage was diagnosed and doctors said that the boy needed an immediate operation—but they had no paediatric intensive care bed. So they telephoned around the region, and then further afield, and eventually found a bed at Leeds general infirmary. So nine or 10 hours later the child was taken by ambulance over the Pennines through a snowstorm. When he got to the hospital and doctors examined him the child was found to be dead: he had arrived too late.

I have here a letter from Dr. Mark Darowski, the director of the paediatric intensive care unit at the LGI. He says:

"I was the clinician who had to declare him dead and to deal with the understandable anger and devastation of his family . . . I would therefore like to bring to your attention the impending crisis which will occur in Yorkshire despite the assertions of the Minister. Without adequate provision it is only a matter of time before other families suffer in the way that Nicholas Geldard's has."

I have written to the Secretary of State about the points raised with me by the LGI unit, asking two questions. I asked whether the right hon. Gentleman was satisfied that the one additional paediatric intensive care bed that our region is to get will be adequate to meet the need. Secondly, if he does not believe it adequate—he cannot believe that, given what he said to the House on 6 March—I asked him what action he and the NHS executive will take to override the internal market decision to supply only one additional bed, so as to ensure that the nine that are needed are provided.

Because I have given notice in writing of my questions to the Secretary of State well in advance of this debate, may I have an answer tonight from the Minister of State? Is one extra bed enough for the needs of desperately ill children in Yorkshire? If not, what will the Minister and the Department do to increase provision so that, contrary to the warning issued by the director of the LGI paediatric intensive care unit, there are no more desperate cases like that of Nicholas Geldard?

9.8 pm

Mr. Ken Purchase (Wolverhampton, North–East): I am grateful to hon. Members for allowing me a few moments in which to bring to the attention of the House a serious matter in my constituency. First it is necessary to provide a little background. But even before that I want to contradict one or two of the assertions made this evening by Conservative Members.

First, disregarding the changes in the administration of the health services that the Government have made, it must be remembered that the thousands of people who worked as administrators in our health services throughout the 1960s, 1970s and 1980s did an absolutely splendid professional job and deserve recognition for it. More of that in a moment.

I abhor the suggestion that only general practitioners who have gone for contract holding are giving a good service to our patients. General practitioners, and those working with them in the health services, give their best—their work is of a tremendously high standard—whether they are on payment by results, whether they are fundholders or whether they are working under the old-fashioned rules of public service in the interests of patients. The balance should be redressed because some people pretend that there have been improvements in the health service only since these reforms. That is nonsense.

I shall refer to the way in which we have reached this point of additional bureaucracy in the health service. I—along with many other people—served in the health service on district committees and on area committees, and for no pay. We were proud to do so. In those days, we did not need the kind of reward that we see today—it is multiplied again and again on trusts and on other organisations that have been put together by the Government as part of the quangocracy. It is an absolute disgrace—there is no need for it whatsoever and it has not led to a qualitative improvement in any of the administrative services within the health framework.

I refer to competitive tendering. I wonder whether it will ever be possible for us to get a figure on the amount of money that has been spent on financial consultants. They allegedly helped the in-house teams put their tenders together and conducted the training that was necessary for them to promote their services. There was a business plan, and cash flow problems resulted therein. There was a change in the working hours and the practices that had to be undertaken. Thousands of pounds—if not millions of pounds—were spent on consultants who were offering so-called management advice.

The upshot of all this is that up and down the country the in-house teams are still doing the same work—and probably for less money in terms of the hourly rates and the salaries that they receive. In many instances, we have lost workers off the wards, particularly those who were cleaners in the hotel services. They have suffered tremendously as a result of that part of the Government's so-called reforms.

I refer to contracting out, particularly in the west midlands. Millions of pounds were lost in computer scams—contracting out failed miserably. It ultimately resulted in the ignominious resignation of the then chairman of the region, Sir James Ackers. He literally had to be forced through the door—there was a public outcry—because of the way in which he administered the Government's reforms in the health service in the west midlands. However, worse was to follow in the litany of waste that the Conservative Government thrust on the national health service. The Government had the temerity to pay this man to leave the health service—he was paid thousands of pounds in compensation. What an absolute disgrace.

Mr. Andrew Mackinlay (Thurrock): It is endemic.

Mr. Purchase: Yes, it is endemic. The Government filled the quangocracy with their friends, many of whom had no experience in the health service or in the ethos that underpins it. There has been one scam after another in Wales, in Scotland, in the south-east of England and in the west midlands.

I draw the attention of hon. Members to the serious problem that we have in Wolverhampton in relation to the hospital services. This year, for the fifth year in a row, they have to find £2.4 million is worth of savings—equivalent to 3 per cent. The Government seem to think that efficiency savings can continue ad infinitum, but the savings have to be taken from a smaller total resource and many departments are already stressed because they have to provide an increasing level of service. They have been asked to treat the same number of patients for 3 per cent. less or to increase the amount of work they do, but this year, in Wolverhampton, the hospitals are being asked to find £2.4 million in cash by the NHS executive. That will be difficult, if not impossible.

I shall tell the House what will happen in Wolverhampton to meet that programme of cuts in services. Two intensive care beds out of a total of seven will close. That is not many to start with, but we will lose two. A day surgery unit will close for two weeks during August and two weeks at Christmas to try to recoup some expenditure. The main operating theatres will close for two weeks in August and at Christmas. Seven orthopaedic beds, six surgical beds, 10 gynaecology beds and nine neurology beds will be lost. The list goes on. Those closures will be made to meet the programme of cuts demanded by the Government and administered through the NHS executive.

The closure of an acute medical ward that specialises in the care of the elderly has been proposed and that will mean a reduction of 33 per cent. in the service. The freezing of posts is an old chestnut, but so many posts have been frozen for so many years that few or no posts are left that are not urgently needed. The quality of patient care is bound to diminish as a result. A further 11 posts in the operating theatres will not be filled.

That is the programme that faces my authority in Wolverhampton. The question is not whether the trusts are efficient or effective, because the health service has been run effectively and efficiently for as long as people can remember. I accuse the Government of misunderstanding the nature of what they call market-driven efficiency. We have seen year-on-year improvements in technology, management techniques and operating practices. Those improvements would have happened anyway.

Mr. Malone *indicated dissent.*

Mr. Purchase: Yes, they would. The Minister should ask the people who have worked in the service for years, probably before he started work. They have given the community their best, but he might not understand that. The way in which the Government have acted in the public services has demoralised the staff and demolished the spirit of the people who have provided those services since 1945 and the great reforms of the then Labour Government.

We have heard many individual examples of suffering and difficulties created by the so-called market reforms. They are not reforms: they are a diminution of the service and that is shown every day. The dreadful cuts that I have mentioned, which will befall the people of Wolverhampton, exemplify that point. Earlier, the hon. Member for Birmingham, Edgbaston (Dame J. Knight) suggested that Labour Members told scare stories to frighten the horses. Our stories do not frighten the horses, but they scare the patients to death.

9.17 pm

Mr. Henry McLeish (Fife, Central): Unfortunately, I have not been given the up-to-date result, but I imagine that it is full time and if the score has stayed the same it will be one-all. Extra time will be played and, as the nation will be on a knife-edge, we can get on with the health debate. I am sure that if more information comes into the Chamber, we can pass it on to those assembled.

It is interesting to hear the different approaches of hon. Members on both sides of the House. Most of my hon. Friends have made sensible, constructive and incisive points about health problems in their areas.

Mr. Dorrell: Come on.

Mr. McLeish: The difference between the Opposition and the Government is that we deal with reality and we do not seek to hide within a self-constructed fantasy.

We have had excellent contributions from my hon. Friends, who have tried to bring the real concerns of the people whom they represent to the Chamber.

In sharp contrast, and despite the efforts of the Secretary of State, three Conservative contributions highlighted the differences in the approaches of the Government and the Opposition. The hon. Member for Mid-Staffordshire (Mr. Fabricant) let the cat out of the bag when he said that the Government are providing a safety net. We argue that the Tories are making that claim throughout the country. The second extraordinary contribution came from the hon. Member for Wimbledon (Dr. Goodson-Wickes), who said that there were sound reasons why the Tories voted against the NHS legislation in 1946. The Conservatives have clearly continued to accept only grudgingly the unique and best public service in this country.

The hon. Member for Gravesham (Mr. Arnold) crystallised the Government's approach to health when he said that trolleys should become an accepted part of NHS culture and language.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. McLeish: No, I will not give way at this stage.

Mr. Arnold: On a point of order, Mr. Deputy Speaker. Is it in order to misquote an hon. Member and then not allow him to correct that misquote?

Mr. Deputy Speaker: The hon. Member for Fife, Central (Mr. McLeish) is responsible for his own speech.

Mr. McLeish: In a grown-up political environment, if one makes a comment, one lives with the consequences. The hon. Gentleman suggested that trolleys were more comfortable than people think. Labour Members believe that patients should have beds and not trolleys. We believe that patients should be in wards and not in corridors and that patients should be seen by doctors and not left waiting for hours in accident and emergency wards. The hon. Gentleman may not like it, but that is what he said. It is important that the nation understands what is happening.

Mr. Arnold: I said in my contribution that a choice must be made. In order to make certain that beds are available, one must operate beds at 20 per cent. below capacity. The decision to operate them at a higher capacity is one of the reasons why waiting lists have been reduced. One must make a choice and strike a balance. If the hon. Gentleman wishes to say categorically that a Labour Government would operate at only 80 per cent. of capacity, he should do so. He must make a choice.

Mr. McLeish: The hon. Gentleman did not deny my comments—that is the important point. He can exaggerate and set up smokescreens but, at the end of the day, the Conservative party has advocated trolleys as an acceptable part of NHS language and culture.

It was interesting to note also the characteristic contribution by the Secretary of State. It was uninspiring, but that is nothing new. It is important to note that, while he decided to go on the attack—with their record, that is the only thing that the Government can do—he failed to tell the House about his contribution at the conference of the National Association of Health Authorities and Trusts. *The Times* of Saturday 22 June summed it up by saying:

"Dorrell gives the go-ahead for longer hospital waiting lists".

If that is not a white-flag surrender job, I do not know what is. The Government have lambasted every political party about their views on the NHS. They claim that they are cutting bureaucracy and that they will invest more in patient care. That is not happening in the real world of the national health service.

The Secretary of State said that, as a consequence of the crisis in the national health service, the Government's great initiative to reduce waiting lists has been abandoned. The Government's market-driven NHS simply cannot cope with the burgeoning bureaucracy and the fact that there is not enough investment in patient care. Bureaucratic costs in the national health service are spiralling out of control.

It is hypocritical of Ministers to come to the Dispatch Box and wax lyrical about their actions now that the horse has bolted. The stable door cannot be closed: health costs are spiralling out of control and Ministers do not have a clue what to do about it. Even more worrying is the fact that they simply do not care. Ministers are sitting at the centre of the market-led NHS, unconcerned about the crises throughout the health service. They know about them, but they are unwilling to address them. Today the Secretary of State confirmed our belief that, in his opportunism, he is more concerned about the future of the Conservative party after its defeat at the next election than about real patients in the national health service.

More important, the debate has been about defining points in the NHS for the debate that will take place between now and the general election. Let us be clear what those points are. First, the Government want a residual NHS. They do not want to see a one-nation health service.

Mr. Arnold: Rubbish!

Mr. McLeish: The hon. Gentleman may shout "Rubbish!", but if the Government want to ignore the reality of public opinion, public perception and professional concern between now and the general election, that is fine by me, because, in government, we shall start to address some of the issues that they are ignoring.

Secondly, Conservatives regard the health service as a business—a view that is not shared by the Labour party or the country. The health service is a public service with a

very distinct ethos. That is what makes it work. That is why we have commitment from nurses, doctors and ancillary services throughout the length and breadth of the land. The Conservatives are in danger of squandering that most precious of resources, and that is a defining issue.

The main issue, which is what the debate is about, is the Conservatives' obsession with bureaucracy and the market. The Secretary of State and the Minister can shed crocodile tears about what they are doing, but it simply will not wash. The Conservative party has constructed a market that is destroying the heart of the NHS, but it cannot do anything about it because, despite the disappearance of the previous Prime Minister, it is still gripped with ideology when a bit more pragmatism would do well in the NHS.

In contrast to the Conservatives' market obsession, the Labour party wants to see a collaborative model. We want to see a national health service that co-operates. Look at the shambles of British Rail. We want to avoid that prospect for the NHS. We want to put the NHS back together again. That makes sense for everyone who works in it, and it makes sense for patients.

One defining point that the Conservatives simply cannot run away from is their ability to squander vast sums of taxpayers' money, not in the interest of patients or professionals but in the interest of ideology. There is something fundamentally immoral about other people's moneys being used for a political and ideological adventure. But they are guilty of that, and whatever they say about it, that is a key issue.

The most important defining issue between Labour and the Conservatives is the fact that we believe in the NHS.

Mr. Dorrell: Come on.

Mr. McLeish: In 50 years, the NHS has provided an excellent quality of life for people in this country. We believe in a world-class service for the next 50 years, not the residual service that the Government are working towards.

We have talked about defining points, and that is crucial, because the next election will be fought not on the evasion that we see from Conservative Members but on the reality that faces patients and professionals in every part of England, Scotland, Wales and Northern Ireland. The Conservatives can run, but at the time of reckoning they simply will not be able to hide. Let me give a warning to the Government. They may think that the five years of reforms have changed the face of the NHS. They have not. The great work that has been done by the NHS in the past 50 years has not been undone by five years of reforms, but if we have another five years of these crazy reforms, the next 50 years of the NHS will be completely and utterly destroyed. We simply will not stand for that. The Minister and the Secretary of State should be warned that they will face a vigorous campaign about the choice that we will offer at the next election.

Mr. Mackinlay: The only point on which I take issue with my hon. Friend is the fact that he referred to only five years of Government-imposed reforms. Their reforms are like the painting of the Forth bridge—they start on one end and they never finish. They keep reforming their reforms. I remember that it was "Sir Sheath Durex"—*[Laughter.]*—or whatever his name was—Sir Keith Joseph—who reformed the NHS. He created the area health authorities and the regional health authorities and set up the bureaucracy which then had to be abolished, and the Conservatives have continued with reforms since they came back into office.

Mr. McLeish: No doubt it would be unparliamentary for me to repeat part of what my hon. Friend said, but he chose an excellent analogy in the Forth bridge. Never mind the painting; the bridge has been sold. It is an interesting analogy, given what may happen to the national health service.

The Government are out of touch with national sentiment, and out of step with public concerns. Let me repeat the obvious: the sooner they are out of office, the better it will be for the future of the NHS. My central charge is this. The artificial market is being propped up by the spending of more and more money on this market madness, and a paperchase is being substituted for the delivery of patient care. We believe in a patient-centred NHS—in patient choice and patient care. We have heard speeches defending managers, bureaucrats and almost everyone, but I did not hear much mention of patients. Perhaps that is another defining issue that the Government have forgotten to challenge.

It is important to remind the Government of the catalogue of chaos that currently constitutes parts of the NHS. We have heard about intensive care tonight: we have heard about paediatrics, and accident and emergency departments. We are seeing the development of two-tierism throughout the country. The Government defend that. They enjoy the fact that some patients have more rights of referral than others. It is a disgrace, but they are happy to trumpet it as a success.

The Government also defend the private finance initiative. We have posed an interesting question to the Secretary of State, which he ducks on every occasion. Where are the contracts? How many are there, and how many openings will my hon. Friend the Member for Peckham (Ms Harman) be attending as Secretary of State for Health when we take over in a few months' time? I fear that it will not be as many as she would like. *[Interruption.]* Ministers are now discussing the future of the PFI. The fact is that it is going nowhere, because it is expensive. *[Interruption.]* Perhaps I should sit down, and allow the debate on the Government Front Bench to become public.

Ministers have mentioned the sum of £500 million, but that figure could be £500 billion. Unless it is translated into positive action—bricks and mortar—patients will not be helped.

Let me raise a more serious point. There is a crisis in relation to health inequalities, which the Government simply will not address. In 1994, there were 11.4 infant deaths per 1,000 live births, but in Kingston and Richmond the figure was 3.1. It is a factor of four. Why is that? Poverty and affluence are clearly involved, but another key issue is lack of access to health care throughout the country. The Government talk of bureaucracy, but I submit that saving people from early death should always be a priority in any health service.

Mr. Dorrell: I agree.

Mr. McLeish: That is fine, but I want to know what the Secretary of State intends to do. Let me give him another statistic for good measure. In 1994 there were 126 deaths from breast cancer per 100,000 of the population, but in

[Mr. McLeish]

Chichester there were only 51. On the vital issues of coronary heart disease, breast cancer, infant mortality and long-term illnesses, there are unacceptable differences throughout a so-called one-nation health service. I think that we know the reason for that: the Government have simply run out of energy, enthusiasm and commitment to health equality.

Here is a statistic that the Government do not like. Over the past five years the number of nurses has fallen by 50,000, and there are 19,000 fewer in training—but, of course, there are 20,000 extra managers. Does that not constitute a comment on the current state of the NHS? [HON. MEMBERS: "Not true."] Conservative Members chorus "Not true," but they are the Government's figures—sourced by the Library from Government computers.

Two other issues dominate the health scene. One is the crisis in cancer care.

Mr. Bowen Wells (Lord Commissioner to the Treasury): Ah!

Mr. McLeish: I can tell the Whip that if the health service is fragmented, contractorised and competitive, there can be no rational or regional planning. Thousands of cancer patients have been badly served by the Government's crazy market set-up. Perhaps the Whip will reflect on his reaction and support my remarks.

The health aspects of food are also in a shambles, as we have seen with the beef and powdered baby milk crises. When the Government do not trust the people, they end up in a mess. Of concern to all is that we have doctor against doctor, hospital against hospital, GP against GP and district health authority against district health authority. One cannot deny the realities of the market. The present competitive system is costing the taxpayer an absolute fortune and all that the Government can say is that we are denying reality. It is clear from the practical problems experienced by our constituents that that is so.

I have spoken about the manifestations of the crisis in the health service, so now I will highlight the core issues. It is impossible to imagine that the Government will continue to squander money on bureaucracy when investment in patient care is required. Hon. Members spoke earlier about the wonderful asset of NHS staff and the key players, but their morale is at rock bottom, with 900,000 people looking for leadership. They need not look to the Government Benches because in a privatised set-up, staff are regarded only as hired hands. We regard those staff as a vital asset. They must be given leadership and allowed to participate.

The privatisation of the railways has provided a classic example of a Government whose ideology blinkers them from reality. *[Interruption.]* Conservative Members may tut, but the British Rail network has been split into 100 parts, and that is called efficiency. The same is happening with the health service. There are free-standing GPs, free-standing trusts and a PFI that seeks to embrace services rather than bricks and mortar. All the building blocks are there and the market will ultimately destroy much of the legacy that it will inherit over the next decade.

Nor is there any momentum in the NHS; instead there is a yearning for a change of Government. The Minister will know from visiting GPs that they are sick and tired of a Government who preach the principle of listening but never listen. A few years ago, the Government created the monster of the market, which is eating up cash and cannot be controlled. My hon. Friend the Member for Peckham said that when there is a Labour Government, we will control the market. We will ensure that hard-earned taxpayers' money is transferred to patient care, which is the big issue for the next century—not patient charters or crocodile tears over not being able to save on bureaucracy.

After 50 years of the NHS, why should the public have to wait and worry? The country should have a Government who address all the issues in the interests of patients. That ultimately means cutting bureaucracy and giving a new boost to the NHS culture that the patient is the most important consideration. If that is done, all the talk about positive outcomes will be proved right, because we will stop people dying unnecessarily. We will overcome health variations, which are impossible to support in a modern society. We will also give leadership to the 900,000 NHS staff—who are yearning for change, which only Labour can provide.

9.39 pm

The Minister for Health (Mr. Gerald Malone): In his closing remarks, the hon. Member for Fife, Central (Mr. McLeish) said that this debate had had several defining points, and he is the Labour Front Bencher who decided to say that one of those defining points was finance. I must tell him and the hon. Member for Peckham (Ms Harman)—who dodged the issue when opening the debate—that I shall spend some time in my speech pressing Opposition Members to state precisely how they would fund the NHS. That is the core of the issue.

On a year-on-year basis, in real terms this Government have spent more than any other Government have ever spent, and we have issued a commitment to continue doing so. We heard nothing from any Opposition Member about how they would deal with that core point.

The hon. Members for Fife, Central and for Peckham have approached this debate principally on the hypothesis that they will be able to fund the necessary increase in NHS spending by cutting bureaucracy. They have supported that statement with figures that are dodgy, to say the least. I shall set out the true position and describe what the Government have done to bear down vigorously on management costs in the NHS.

Last October, my right hon. Friend the Secretary of State for Health announced a 5 per cent. cash reduction—8 per cent. in real terms—in the costs of running health authorities and in trust management costs in 1996-97, the merger of district health authorities and family health services authorities and the abolition of regional health authorities. In a debate that is based on the abolition of bureaucracy, the House will be interested to note that the Labour party opposed the measure to abolish regional health authorities.

Those measures will release about £300 million for patient care by 1996-97. That is composed of £54 million from cuts in health authority costs, £95 million from cuts in trust management costs, £101 million from abolition of regional health authorities and £55 million from streamlining the Department of Health—which has been done with great vigour.

When it comes to bearing down on bureaucracy in the NHS and ensuring that we get the best value for taxpayers' money, the Government have a first-class record. In a

moment, I shall deal with some of the points made by Opposition Members about bureaucracy in some detail and show how their argument is flawed, but first I shall deal with the speeches made by hon. Members on both sides of the House.

My hon. Friend the Member for Broxbourne (Mrs. Roe) made a robust defence of management. As Chairman of the Select Committee on Health, she was able to do so from a position that provides her—and other Committee members—with a great insight into the importance of proper management. I find it somewhat paradoxical that Opposition Members are constantly saying that we have too much management and bureaucracy in the NHS, yet, when they sit on the Select Committee and when they table parliamentary questions, they are the ones who demand NHS facts, figures and proper accountability—which requires that a proper management structure is in place.

My hon. Friend the Member for Broxbourne quite rightly made the point that if our national health service, which is responsible for £40 billion of taxpayers' money per annum, is to be accountable, it must be properly managed: first, to be accountable and, secondly, to be effective.

The hon. Member for Southwark and Bermondsey (Mr. Hughes)—who has not returned to the Chamber—came out, as he always does, with many interesting figures, none of which I recognise. He made one point about the National Health Service Consultants Association. I can tell him that a reply to the letter that he mentioned will be on its way to that association soon.

The hon. Member for Preston (Mrs. Wise) expressed some concerns about community health care for children. I am sure that she will be pleased to know that, after full consultations in which more than 250 responses were received, a guide on community child health services is with the printers and will be issued soon. I hope that she will welcome that.

Mrs. Wise *rose—*

Mr. Malone: I apologise for not giving way to the hon. Lady, but my time is limited, and I want to deal with all the speeches by hon. Members on both sides of the House.

My hon. Friend the Member for Wimbledon (Dr. Goodson-Wickes), who said that he might not be able to be in his place for the winding-up speeches, made a historical speech. He reminded us of pointless past bureaucracy in the health service. He was right to make that point vigorously. The Government are focusing the management function on providing effective increases in patient care and on ensuring that inefficiency is driven out of the service. My hon. Friend specifically said that he hoped that liaison between community health trusts and social services committees could be encouraged. I heartily endorse that view. Indeed, we encourage that practice wherever possible.

The hon. Member for Islwyn (Mr. Touhig) derided the voluntary sector. I was amazed. Unfortunately, it is something that he and his friends do too often. He complained that some services for patients—in particular a voluntary, I presume counselling, service for cancer patients—are delivered by voluntary organisations. As I go around the country, I frequently hear that argument, usually levelled at leagues of friends who in fact do tremendous work for the public sector and underpin the connection between the health service and the community.

When Labour Members deride those organisations and say, as the hon. Gentleman did, that those services should be delivered from public funds—*[Interruption.]* That is exactly what the hon. Gentleman said. Labour Members do no service to the thousands of people who add to the services provided by the NHS.

Mr. Touhig *rose—*

Mr. Malone: No, I will not give way.

The hon. Member for Islwyn went on to make some useful points about nurse leadership and development, which I heartily endorse.

Mr. Touhig: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): Is it a point of order for the Chair?

Mr. Touhig: It is, Mr. Deputy Speaker. I am entitled to ensure that my remarks in this Chamber are not misrepresented. I made no such statement and I seek the support of the Chair in this matter.

Mr. Deputy Speaker: Order. The hon. Gentleman has been in the House for sufficient time to know that there are opportunities available to him to deal with that—for example, the Order Paper, and so on—and that he should not attempt to bring the Chair into any interpretation of any hon. Member's speech.

Mr. Malone: My hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) rightly praised trusts for being efficient. He mentioned one in particular in his constituency, which I visited some time ago, where I saw precisely what NHS reforms have been able to bring to trusts. It is not just that they are more efficient and can deliver better health care; it is that as in Newham, where I was this week, and in Andover, where I was yesterday, trust hospitals, with their new freedoms, are now able to provide more efficient, but better, health care to patients in their community by entering into partnerships with other trusts and developing those in a way that the Opposition entirely ignore.

The hon. Member for Dunfermline, West (Ms Squire) made points relating to her constituency, which I shall draw to the attention of my right hon. Friend the Secretary of State for Scotland.

My hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight) made an important point about the British Medical Association acknowledging that the Government have addressed the problems of bureaucracy. The BMA has welcomed that. In the light of this conference season, praise from the BMA is, perhaps, not usual, but it is clearly something that the Government welcome when it comes. The BMA made an important point.

[Mr. Malone]

My hon. Friend the Member for Beckenham (Mr. Merchant) rightly referred to bureaucracy being streamlined and waiting lists going down in his constituency. He also pointed out that, as a result of NHS reforms and changes that the Government have brought to bear, there is new hospital building in his constituency. I welcome that, too.

The hon. Member for Coventry, North–East (Mr. Ainsworth) referred to private finance solutions for Walsgrave and Bromsgrove. He said that he was afraid that they would not be affordable. I have to disappoint him—Walsgrave Hospitals NHS trust will be announcing its plans and its preferred private sector partnership at the end of this week.

As business cases are approved and the PFI is going out on a planned process towards completion, Opposition Members crow, but they crow too early, for the PFI will be a fundamental way to provide new funds for the NHS and capital development. Before, people had to wait for an inordinate amount of time. The hon. Member for Peckham will know full well about the cases when they are finally announced in a formal way, and I promise her that she will then be smiling—perhaps—slightly on the other side of her face.

My hon. Friend the Member for Worcester (Mr. Luff) made a powerful speech in which he set out the proper role of management and talked about the course of change to reduce bureaucracy that had constantly been opposed by the Labour party. He was quite right to do that. On one hand, the Labour party decides to feature bureaucracy as the basis of this debate, and on the other it entirely ignores and stands in the way at local level of the effort to get bureaucracy out of the health service and improve efficiency.

The hon. Member for York (Mr. Bayley) made a specific point to which he asked me to respond. I have asked officials about the prior notice that he gave, but I am sorry to tell him that there is no trace of it. There is an outstanding letter to my right hon. Friend the Secretary of State to which the hon. Gentleman will receive a reply in due course.

During the opening speeches, a degree of sensitivity was displayed by the hon. Member for Fife, Central. It was because the issue strikes at the heart of Labour's problem. Labour Members talk in soundbites about health, but propose nothing. When they propose something and they are found out for proposing it, their first reaction is to deny it, as the hon. Gentleman did. Let us pin the Labour party down about fundholding, which now services 52 per cent. of England's population. The hon. Gentleman is quoted as saying that once in power

"we will remove the internal market and the principle of a single practice holding a budget will not be there."

Mr. McLeish: Replace.

Mr. Malone: Replace or abolish? I am not quite sure which. In the eyes of any fundholder, "replacing" is a euphemism for "abolishing". I understand that those who attended the conference at which the hon. Gentleman spoke were not convinced by the euphemism and entirely understood the purpose of the hon. Gentleman and his party: it was to do away with all the excellent work that fundholders have built up over seven waves of fundholding. I shall give way to the hon. Gentleman if he will deny that.

Mr. McLeish: I would have thought that the intervention in relation to the Secretary of State's comments would iron out that particular point, but it would appear that, to gain some cheap political points, the Minister will not acknowledge the sincerity and honesty with which I said that the comments reported by the Secretary of State were simply untrue. Does the Minister accept the sincerity of the point that I am making or is he going to ignore it and make political points anyway? *[Interruption.]*

Mr. Malone: We want to know what the Labour party and the hon. Gentleman mean—so do fundholders, and so do the 150 of them who were at the meeting. They will no doubt have their views on what the hon. Gentleman has said, which, of course, I accept in the spirit of a debate across the Dispatch Box.

I said that I would look with some care at what the Labour party was saying about bureaucracy and figures. I accuse it of playing fast and loose with figures all the time and of ensuring that a false picture of the health service is represented. I shall refer to one instance of that.

I nodded in the direction of the hon. Member for Darlington (Mr. Milburn). I am perfectly happy to answer his parliamentary questions. He issued a press release today on a subject at the core of this debate—health authority administrative spending, which, according to his press release, rose by more than £315 million to £1.1 billion between 1991 and 1994-95.

I remember answering the hon. Gentleman's parliamentary question and I also remember writing to him because I thought that the figures should not be misunderstood and should be properly explained. My letter said:

"The figures have not been adjusted to constant prices. Changes over the years and the roles and responsibilities of health authorities and the transfer of functions to NHS Trusts . . . also mean that the figures are not strictly comparable."

Health authorities now fulfil a substantial number of functions that they did not have in the past—involving public health and programmes for the relief of AIDS. An analysis of the figures on the proper terms—which I set out in my letter to the hon. Gentleman—shows that the truth is rather different. To fund those increased and changed activities, there has been an increase in expenditure from 1991-92 to 1994-95 of 0.1 per cent. per annum in real terms. That puts matters in a different context. What is more, those figures do not take into account the abolition of regional health authorities, saving some £101 million. Although the hon. Gentleman says that he wants to decrease bureaucracy, the Labour party opposed that £101 million.

If we want to look at the defining moments to which the hon. Member for Fife, Central referred, there is one source to which we can turn with confidence—the recent speech by the Leader of the Opposition at the NAHAT conference. It was a speech full of contradictions. He heard the message loud and clear when he said:

"You do not want more major upheaval".

However, in the next breath, he promised the health service that he would replace the internal market, causing the upheaval that he claimed it did not want. In the following breath, he said:

"Planning and delivery of health care will remain distinct functions".

That undertaking from the right hon. Gentleman totally undermines the case of the hon. Member for Peckham, as it defends the mechanisms of purchasing and delivery and promises that they will remain firmly in place. It is absolutely typical of the Opposition to make an assertion and slide away from it.

It is important to note that that speech supported a deceitful party policy. At its centre is Labour's big lie. Labour refuses to say how much it will spend on health. Where is Labour's commitment to build on the success of the health service that Opposition Members have persistently mentioned tonight? Everyone involved in the health service understands that the engine of growth in our NHS is, and always has been, proper funding. Of course, efficiency gains improve patient care, as does cutting bureaucracy—which Labour opposed in the House. However, if one asks anyone who works in the NHS what is the litmus test of the Government's commitment, the answer will be a commitment to fund on a continuing basis. My right hon. Friend the Prime Minister has set out that commitment to increase funding in real terms in the next Parliament, as the Government have done consistently since we came to power.

What does the Leader of the Opposition have to say about that? It should have been up front on page 1 of his speech. I read page 1 of his speech and it was not there. Nor was it on pages 2, 3, 4, 5, 6, 7 and 8. On page 9, in the dying moments of the speech, the right hon. Gentleman steels himself. The audience sits on the edge of its seat and hears that a Labour Government would look at whether there was a funding gap that needed to be bridged. That is highly courageous, but utterly meaningless. The Opposition constantly complain that we do not spend enough as a percentage of GDP on health. I invite the right hon. Gentleman to let us know what Labour would do. We have increased spending as a proportion of GDP by more than 1 per cent.

The NHS has been well defended and well supported by the Government. It now delivers more health care than ever before, and has more doctors and nurses delivering health care to patients. Yet again, that figure has been entirely distorted by Labour. Since 1984, the number of qualified nurses in the NHS providing care for patients has increased by 22,950.

This has been a debate in which the Opposition have failed the test of supporting the NHS. They run for cover as soon as any suggestion is made of a true commitment.

Ms Ann Coffey (Stockport) *rose in her place and claimed to move*, That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 217, Noes 260.

Division No. 158] **[9.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Bradley, Keith
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis

Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Parry, Robert
Pearson, Ian
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Hain and
Mrs. Jane Kennedy.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Budgen, Nicholas
Burns, Simon
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jones, Nigel *(Cheltenham)*
Kellett-Bowman, Dame Elaine
Key, Robert
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary

Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Patrick McLoughlin.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the staff of the National Health Service for providing high quality care to a record number of patients, and notes that their achievements have been underpinned by the Government's unique commitment to increasing National Health Service funding, which has meant an extra £9.5 billion since 1992, and is dismayed that the Opposition proposals put ideology before patients, in particular by removing the option of fundholding from the 50 per cent. of general practitioners who have decided that this system offers the best prospect for their patients.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Morris): With permission, I shall put together motions 3, 4 and 5 relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

HARBOURS, DOCKS, PIERS AND FERRIES

That the draft Ipswich Port Authority Transfer Scheme 1996 Confirmation Order 1996, which was laid before this House on 4th June, be approved.

FAMILY LAW

That the draft Child Benefit, Child Support and Social Security (Miscellaneous Amendments) Regulations 1996, which were laid before this House on 5th June, be approved.

SOCIAL SECURITY

That the draft Jobseeker's Allowance (Pilot Scheme) (Amendment) Regulations 1996, which were laid before this House on 10th June, be approved.—*[Mr. Burns.]*

Question agreed to.

DEREGULATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 14A(1)(a) (Consideration of draft deregulation orders),

STILL-BIRTHS

That the draft Deregulation (Still-Birth and Death Registration) Order 1996, which was laid before this House on 20th May, be approved.—*[Mr. Burns.]*

Question agreed to.

Secondary Schools (Chorley)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

10.11 pm

Mr. Den Dover (Chorley): It gives me great pleasure this evening to raise the matter of secondary school allocations in the Chorley area in Lancashire and to be joined by my right hon. Friend the Member for South Ribble (Mr. Atkins) and the hon. Member for Bolton, North–East (Mr. Thurnham), who have adjoining constituencies to my own and who have similar problems to some that I shall be raising.

Secondary schooling is the most important step or change in any child's school career, and the maximisation of children's abilities at the délicate age of 11 when they move from primary to secondary school is of paramount importance. Education is the best investment of all and it is up to us, as representatives of the people, to ensure that the allocations are fair and appropriate, and that the best is brought out of all children according to their abilities.

My worry is that, in the Chorley area, parents are asked for their first, second and third preferences of secondary schools, so they spend a lot of time with their children and put in a lot of effort going round the various secondary schools of varying natures in my area, in the borough of South Ribble, and perhaps across the border in Bolton. They may develop an affinity with a particular school, and their child likes it, so they put down their first, second and third preferences on a form supplied to them by Labour-controlled Lancashire county council.

The unfairness is that many of my parents, particularly in the north and east of the Chorley constituency, have not been getting any of their first three preferences. That is unacceptable and a total waste of time and effort, and I want to ask my hon. Friend the Minister this evening whether it will be possible for her to lean on Lancashire county council and obtain some change.

I wrote to the chief education officer in March. I quote his letter to me of 19 March:

"In general the county council is unable to guarantee a place at one of the three preferred schools, although it is only a very small percentage of children who cannot be offered a place at any of their parents' preferences. In Lancashire"—

Lancashire as a whole, not the Chorley area—

"first preferences are up to 92.6 per cent., second preferences 3.5 per cent., third preferences 1.2 per cent., no preference 2.7 per cent.".

The chief education officer confirms, however, that the information is not readily available for Chorley because it is held according to schools. I would ask that the first, second and third preferences be allocated on a postcode area basis. They should not really relate to schools; what matters is where parents live, as shown by their postcodes. They should be given the preferences that they want.

Parental choice is paramount. It is the policy that the Government for the past 17 years have proudly boasted and honoured. I greatly welcome the policies in yesterday's White Paper, which will allow more selection by schools. That in turn will permit a 50 per cent. increase in the intake of grant-maintained schools. I regret the fact that, a few years ago, the Government flirted with the idea of allowing more popular schools to expand, to the detriment of those that were less popular. The results can be seen in Chorley. All the schools there do well in the performance league tables, but several are more popular than others, and that gives rise to a larger number of preferences.

I accept the difficulty for the county council, but it is not too much to ask that each child be allocated one of its first three preferences. One problem is that the local education authority changes the rules every two or three years. Three years ago, villages to the south and east, towards Bolton, were affected. Schools there with a history of working in conjunction with local families from the surrounding villages suddenly found that the ground rules had changed—and that the time for the appeals procedure, April to June, had already arrived.

No one likes change; people like to know what the ground rules are. This year changes affecting the north and east of my constituency have been made. Is the LEA carrying out any consultation? I do not think it should just change the rules and then force the changes on heads, parents and children. That is quite wrong. The guidelines and policies should be transparent, and people must have their say. If they think the system fair, fine; if not, they should be able to make their views known through their elected representatives and then bring about change.

Yesterday's White Paper stresses that some LEAs are defensive and try to protect their own methods of working. I am delighted to note that the Government intend to force much more education spending—as much as 95 per cent. of it—down to school level, and not allow LEAs such as Lancashire's to channel only 85 per cent. down to the schools. The more money is spent at school level, the better value for money we get and the more local the decision making will become. Thus, we shall get away from the red tape and bureaucracy that are so much a part of activities at county hall in Preston.

I am not satisfied that the appeals procedure is entirely independent. I find it, for instance, unacceptable that heads are kept out of it. They should have a major input to appeals procedures, so perhaps the situation needs reviewing.

I care very much about the children in my constituency, and I have found the county council unresponsive, uncaring and bureaucratic in its past dealings with allocations to Catholic and Church of England schools or to voluntary-aided schools. The council has defended its patch and released only the minimum amount of money to schools. It has unfairly given less money to areas such as South Ribble and Chorley than to other parts of the county. Therefore, I condemn its actions.

However, I praise the efforts of the Education Ministers, particularly the Under–Secretary who will reply to the debate this evening. I commend the Secretary of State for yesterday's White Paper. It is the vision for the future. The future is our children. What could be more important than ensuring that they get to the schools that they want and choose in their

preferences? My key question is: is it possible for the Minister to force Lancashire to honour at least one of the three preferences?

10.19 pm

Mr. Robert Atkins (South Ribble): I thank my hon. Friend the Member for Chorley (Mr. Dover) for raising this subject in the Adjournment debate and for allowing me to contribute to it. Consistently, Lancashire Conservative Members of Parliament have led the fight for the protection and development of education in the county of Lancashire, in the face of what can be described only as the inept administration of the Labour party in county hall. The Department for Education and Employment has received many letters from Lancashire Conservative Members of Parliament about the administration of Lancashire's education authority.

My hon. Friend has raised yet another example of the council's bungling. Over the years, parents have visited my surgery because they have been extremely upset about the fact that their first choice, and sometimes their second choice, of school has not been acceded to—I am sure that most hon. Members have experienced this.

One understands the pressures. One understands that, as a result of Conservative education policy over the years, we are developing some good schools. For example, I refer to Leyland, St. Mary's in my constituency—it has become a grant-maintained school. It has been extremely successful and a lot of parents want to send their children there.

As my hon. Friend said, across the constituency boundaries of South Ribble and Chorley, parents in South Ribble are being offered schools in Chorley, and parents in Chorley are being offered schools in South Ribble. That is unacceptable because it is inconvenient. As my hon. Friend said, we are concerned at the apparent lack of care and attention—particularly in the area of appeals—that has been given to our constituents and to their children. I have had parents and children visit my surgery because of the way that this matter has been dealt with—some have been in tears.

I join my hon. Friend in seeking to press the Minister to listen to the pleas of Lancashire Conservative Members of Parliament. We are speaking out, yet again, for the schools, for the children, for the parents and for the teachers—for those who share our concern about education.

10.22 pm

Mr. Peter Thurnham (Bolton, North–East): I congratulate the hon. Member for Chorley (Mr. Dover) on his success in securing the Adjournment debate and on raising this subject. I also thank him for allowing me to contribute to the debate. The Lancashire education authority has priority for places at Turton school in my constituency. That popular school is over-subscribed. I am concerned about the Bolton education authority's policy of not giving priority to sibling links. It is a grossly anti-family policy, and it causes considerable distress.

This week, I wrote to Mr. Jackson of the Bolton education authority about one particular case. I said:

"I understand that Robert is very distressed at not being able to go to the same school as his sister and his friends, after attending Eagley Junior school in Bromley Cross all his life. I believe Robert's GP has written to advise you of the stressful effect this is having on Robert, and I fully support any request that Robert be reconsidered for Turton."

I would be grateful if the Minister used her influence to ask the Bolton education authority to reconsider its policy. Few education authorities do not give priority to sibling links. I believe that there is considerable support throughout the constituency, and throughout the other parts of Bolton, for a change in policy so that priority can be given to sibling links. We wish to avoid the stressful situation where one sibling goes to one school, but another sibling is unable to go to the same school. I hope that the Minister will be able to give the issue her consideration.

10.23 pm

The Parliamentary Under–Secretary of State for Education and Employment (Mrs. Cheryl Gillan): I am grateful to my hon. Friend the Member for Chorley (Mr. Dover) for raising his concerns, and I shall do my best to respond to him and to the concerns raised, rightly, by my right hon. Friend the Member for South Ribble (Mr. Atkins) and my hon. Friend the Member for Bolton, North–East (Mr. Thurnham). I know from the amount of correspondence that I receive from my hon. Friend the Member for Chorley that he takes a close interest in education matters, on which he works tirelessly on behalf of his constituents.

We have of course come a long way since 1979, when parents had no right to specify their preferred choice of school. Schools could be half empty, but parents still might not have been offered a place for their child, and they had no right to appeal against the decision on where their child was to be educated.

The Government gave parents the right to express a preference for a school. We required admission authorities to satisfy that preference unless the pupil did not meet the religious or selective entry requirements. We later introduced legislation that required schools to admit up to their standard number or any higher admission limit that was set. Admission authorities could no longer keep spare places at popular schools to safeguard less popular ones. If a school had spare places, eligible pupils had to be admitted.

Not only did we strengthen the initial admissions process for parents, but we strengthened their right of appeal. All appeal committees must now contain a lay member, and representatives of the admission authority cannot be in the majority. Parents now have more confidence that their appeals will be heard by an independent and impartial panel that will carefully weigh up the needs of the child against the implications for the school.

Parents now have more rights, more information, and access to a wider choice of different schools under a Conservative Government than ever before. The Government have tried to remove the artificial barriers which, in the past, have all too often stood in the way of parental choice. Evidence suggests that some 90 per cent. of first-choice applications are successful, but my hon. Friend the Member for Chorley has voiced his concerns about the admission arrangements in place in Lancashire, and especially the problems that his constituents have faced in getting their children into a school of their choice.

It is never easy when popular schools are over-subscribed, as I know has been the case for a number of schools in Chorley. The Government firmly believe

[Mrs. Cheryl Gillan]

that responsibility for admissions rightly lies with admission authorities, and that admission arrangements should be determined at local level. Admission authorities are able to respond directly to the wishes and needs of parents and pupils.

That said, we expect admission authorities—the local education authority in the case of county and controlled schools, and the governing body in the case of voluntary-aided and grant-maintained schools—to determine arrangements that are clearly and accurately described, so that parents can judge the chances of gaining a place for their child at the school before expressing their preference. I hope that my hon. Friend the Member for Chorley will pass on to his education authority the requirement for arrangements to be expressed clearly.

Lancashire local education authority is responsible for determining the admission arrangements for its schools, following an annual consultation with the governors of schools. During that consultation, the governors, if they wish, can propose changes to the school's arrangements for admission. Such proposals may include a change to the over-subscription criteria, or may suggest an increase in the school's admission number for that year.

My hon. Friend the Member for Chorley is right to highlight the problems that can arise when admission authorities change admission arrangements without adequate consultation or notification. He will wish to know that yesterday my Department issued a revised circular on admissions that provides up-to-date guidance on admissions, and explains the basic principles that the Government consider important in the management of school admissions, including local determination, diversity, clarity, consultation and co-ordination. But it is for the authority to finalise arrangements, after taking into account any views put forward by governors, and to set out the admissions policy, giving the number of places available at the school and the criteria to be used in the case of over-subscription.

In the case of county and controlled schools, Lancashire LEA gives priority to first-preference applications. In cases of over-subscription, the authority considers first those applications with sibling links, then those with medical, social or welfare reasons, and finally the admission authority allocates the remaining places with reference to the distances between the home and the parents' first-preference school and between the home and the nearest alternative school at which a place is available.

Lancashire LEA must allocate places in accordance with the published arrangements for its schools. It is, of course, unfortunate that, when a school is over-subscribed—as was the case with Parklands High school—some parents may not receive a place, as the school can be filled with pupils with higher priority for places.

I have looked into the situation that has arisen in Lancashire. It seems that the authority received more than 270 first-preference and an additional 260 second-preference applications for 206 places at Parklands High. Southlands High was also over-subscribed, with 169 first and 127 second-preference applications for only 187 places. A voluntary-aided school, St Michael's—with which my hon. Friend will be familiar—was also over-subscribed with applications.

I understand from the authority that a number of parents in the Eccleston area in particular who expressed a first preference for Parklands were not offered a place, as they live closer to another school, Bishop Rawstorne CE school. In applying its admission criteria, the authority was unable to give them priority for the available places. However, those parents were allocated places at the school of their second choice.

I am also aware of the difficulties that some parents who live in the north-east of Chorley have faced in obtaining a place at Parklands. Again, that appears to be because they live closer to another school, Albany, which still has places available. I understand that the authority is in discussion with those parents about alternative places for their children.

There is also a question over the number of pupils that Parklands can accommodate. The governors of the school can, of course, place a formal request with the authority to publish a higher admission limit. If the authority refuses to comply with that request, it is open to the governors to make an application to the Secretary of State for an increase in the school's standard number.

I hear my hon. Friend's plea to ensure that parents receive at least one of their three preferences. In the allocations to Chorley schools this year, only 4.5 per cent. of parents—including those who applied from outside the area—have not received a place at a school for which they expressed a preference. Of those, nine parents live in the Chorley area. Unfortunately, it is never possible to guarantee places where many more parents have expressed a preference for a school than there are places available.

When parents are unsuccessful in gaining a place, they may wish to exercise their right to appeal to independent appeal committees. Appeal committees offer parents an important second chance, and they must consider any appeal in light of the evidence available and on the merits of the case before them.

I turn now to the case of Mrs. Finney, to which my hon. Friend the Member for Bolton, North-East referred. I understand that Mrs. Finney's son, Robert Rogerson, was unable to get into the school she chose—Turton school. I ask my hon. Friend to ask Mrs. Finney whether she wishes to approach the LEA to place Robert Rogerson on the waiting list for Turton school. I understand, and sympathise with, his constituent's problem.

About 40 per cent. of appeals are successful. I believe that, through that route, several parents have been successful in gaining places at schools for which they expressed a preference. Although I stress that I appreciate the deep disappointment that parents feel when they are unsuccessful in gaining a place at a school of their choice, the number of such parents remains small. However, it is a significant issue for the parents concerned.

But the Government have shown that they are committed to extending parental choice by the steps that they have taken, which have ensured that as many parents as possible receive their first choice of school for their children. Indeed, I was glad to receive the warm welcome from my hon. Friend the Member for Chorley for the White Paper that was published yesterday, which is another step forward and another plan in an excellent education policy that will provide choice for parents—more choice, and choice where there is none.

Finally, I shall take up the points raised by my hon. Friend the Member for Chorley and my right hon. Friend the Member for South Ribble, who expressed concern. My right hon. Friend often speaks out on behalf of his constituents, and I understand his heartfelt plea about the way in which the LEA is managed. I hope that I can throw a little light on the problems that my right hon. and hon. Friends mentioned.

Both will wish to know that, thanks not least in part to the efforts of my hon. Friend the Member for Chorley, the new chief education officer in Lancashire, who was appointed in January 1996, is currently seeking views from schools in the area about how their admission arrangements could be improved. I think that that is proof that the representations that Members of Parliament make in this place can make a difference, and I look forward to hearing the successful review of the admission arrangements in Lancashire.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes to Eleven o'clock.

House of Commons

Thursday 27 June 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

Bank of England

1. **Mr. Michael Brown:** To ask the Chancellor of the Exchequer what recent representations he has received urging him to make the Bank of England fully independent of Her Majesty's Government. [33405]

The Chief Secretary to the Treasury (Mr. William Waldegrave): The Chancellor has received no such representations recently.

Mr. Brown: In view of that reply, and as the Government have been so successful in reducing interest rates and inflation over the past few years, does my right hon. Friend agree that there is absolutely no need whatsoever for an independent central bank in this country? Further, will he confirm that we are not legally obliged—under our opt-out—to become part of the central banking system of the treaty on European Union under stage 2 of economic and monetary union?

Mr. Waldegrave: On the latter part of my hon. Friend's question, I confirm that he is right.

However, on the former part of my hon. Friend's question, I agree with the Governor of the Bank of England, who said that the present framework gives us a better chance of price stability than at any other time in his professional lifetime. Under the joint leadership of my right hon. and learned Friend the Chancellor and the Governor, to whom I pay tribute, that has been delivered.

Mr. Betts: The Chancellor has previously said to the House that he does not believe that there will be any constitutional implications as a result of the creation of a single currency. Will the Chief Secretary tell the House whether the transfer of powers from the Government and from the House to an independent European central bank is not a significant constitutional change?

Mr. Waldegrave: It is odd for the Labour party to lead on this particular matter. The right hon. Member for Dunfermline, East (Mr. Brown)—who, I take it, has gone to Scotland to try to find out what his party's policy is on devolution—recently said:

"The Treasury rather than the Bank of England must continue to set the targets for monetary policy as well as fiscal policy."

However, at the same time, the right hon. Member for Sedgefield (Mr. Blair) went to Germany. I presume that he was correctly reported by one of the German newspapers under the headline

"The pound can go, says Blair, as he cuddles up to Kohl."

The question is really for Labour Front Benchers.

Sir Terence Higgins: Will the Government resist any claims that are made for an independent central bank? I congratulate my right hon. and learned Friend the Chancellor on his recent decision to reduce interest rates, which has been completely vindicated by events. Will he consider a further reduction, combined with explanations to the public—particularly to pensioners and to those on fixed incomes—that, although nominal rates have been cut, real rates and returns on savings are far higher than they ever were, when under a Labour Government they were negative?

Mr. Waldegrave: My right hon. Friend is absolutely right—he remembers that clearly and accurately. What is more, the 20 per cent. rate of tax for savings has, in particular, helped pensioners with savings. My right hon. Friend is right: the Chancellor judged the situation correctly, to the great benefit of the country.

Mr. Malcolm Bruce: Is there not an inconsistency in the Government's position of denying the right of a group of central bankers in London to set interest rates but, as the Chancellor acknowledged in Florence, maintaining that Britain could be a founder member of the monetary union? If that were the case, interest rates would be set by a group of central bankers in Frankfurt. Where is the logic in those two positions?

Mr. Waldegrave: My right hon. and learned Friend the Chancellor said, quite correctly, that, because of his management of the economy, Britain could be in a position to take that decision, if it chose to do so. Thanks to my right hon. Friend the Prime Minister, we can make that decision freely at the appropriate time. The real confusion lies not among the Liberal Democrats—who have always been consistent—but in the Labour party.

I do not know whether the hon. Gentleman knows that one of the real bosses of the Labour party, Mr. John Monks, said recently that it will be the Leader of the Opposition's "destiny" to sign up for the single currency. That is the signal that the Labour party is giving to Europe, but it is not the signal that it is giving to the hon. Member for Bolsover (Mr. Skinner). If, by any mischance, the Labour party gets into power, the hon. Member for Bolsover will be in Opposition then, as he is in Opposition now.

Ministerial Visits (Harborough)

2. **Mr. Garnier:** To ask the Chancellor of the Exchequer when he next intends to visit Harborough to discuss the effects of his economic policies on the local economy. [33406]

The Paymaster General (Mr. David Heathcoat-Amory): My right hon. and learned Friend has no immediate plans to visit Harborough. However, my hon. Friend's constituency is benefiting from the general

strength of the British economy, with the longest run of low inflation for almost 50 years, steady economic growth and the lowest unemployment figures of any major European country.

Mr. Garnier: On his way to Harborough—I advise him to visit soon—will my right hon. Friend look at the speech by the president of the German BDI, in which he noted that unemployment levels in this country have fallen by 20 per cent. since their height in the 1980s while unemployment in western Germany has increased by 10 per cent. in the same period?

Madam Speaker: Order. The House requires that the supplementary question should follow the substantive question, which in this case is about a visit to Harborough and its local economy.

Mr. Garnier: Precisely, Madam Speaker. When my right hon. Friend visits Harborough to discuss the Government's economic policies, will he draw to the attention of my constituents the quotations from the speech to which I have referred? If my constituents do not know it already, will he remind them that investors from both within and outside the United Kingdom are queuing up to do business and to set up businesses in my constituency? Following his visit to Harborough, will my right hon. Friend draw the appropriate conclusions from the information that he gathers there, for the benefit of the Opposition?

Mr. Heathcoat-Amory: I would love to visit my hon. and learned Friend's constituency. His constituents obviously have a good understanding of the reasons why unemployment has fallen steadily in that area and elsewhere in the past few years. As my hon. and learned Friend hints, it is typical of new Labour that it is about to embrace the German employment pattern at a time when the flaws and deficiencies in that system are beginning to appear. There are now more Germans out of work than at any time since the second world war, whereas unemployment is falling in this country.

Inflation

3. **Mr. Booth:** To ask the Chancellor of the Exchequer if he will make a statement on the role of his inflation target in securing sustainable growth. [33407]

The Economic Secretary to the Treasury (Mrs. Angela Knight): The inflation target of 2½ per cent. or less is set to deliver permanently low inflation, which is vital for delivering sustainable growth.

Mr. Booth: As those under 50 in this country who pay attention to such things are applauding the fact that, for the first time in their lives, inflation is at its lowest level—2.2 per cent.—and as the Organisation for Economic Co-operation and Development is applauding low inflation around the world, is it not odd that almost the only group that is not applauding the success of our inflation target is those on the Labour Front Benches? Could it be that Labour is the party of high inflation?

Mrs. Knight: My hon. Friend makes a good point about low inflation and the fact that this country is enjoying a long spell of low inflation which brings stability to individuals and companies and helps to create jobs. I agree entirely with my hon. Friend's point about the Labour party. We all know that the Opposition have a vested interest in running down the economy and this country. When Labour was in charge, inflation soared.

Mrs. Helen Jackson: The Exchequer will be aware that all the water and sewerage companies have produced their results for this year. They total £1.8 billion, which is four times the rate of inflation. How can that be fair in an industry which has increased its prices to customers above the rate of inflation every year since privatisation?

Mrs. Knight: The hon. Lady's dislike of privatisation is well known. I remind her that, when her party was in charge and when it was running the then nationalised companies, those companies cost the taxpayer more than £50 million a week. Those companies now contribute £50 million a week to the public purse. They are providing a better service for customers and water industry companies have contributed much-needed investment.

Taxation (Small Businesses)

4. **Mr. Bellingham:** To ask the Chancellor of the Exchequer what plans he has for alleviating taxation on small businesses. [33408]

The Financial Secretary to the Treasury (Mr. Michael Jack): The last Budget included plans to reduce further the tax burdens on small business.

Mr. Bellingham: Will my hon. Friend join me in welcoming the fact that our corporation tax is among the lowest in the world and in welcoming the Government's recent announcement about reducing rates on small businesses in rural areas? Does he agree that small businesses do not want extra bureaucracy and extra regulation—particularly that which would flow from adopting the social chapter and other social legislation from Europe? *[Interruption.]* Does that not illustrate the fact that the Labour party cannot be trusted when it comes to small businesses?

Mr. Jack: My hon. Friend takes entirely the right line. The noises from the Opposition Benches show that Opposition Members completely distrust private enterprise and lack any understanding of it. Indeed, most of them have had no experience of operating in it.

Mr. Hain: Given the fact that the VAT registration threshold has not been raised in line with inflation, is the Minister happy that another 14,000 businesses have been forced into the VAT net?

Mr. Jack: Many small businesses are pleased that we have increased the threshold for VAT. That has relieved them of unnecessary bureaucracy and has expanded their opportunities to be competitive in the marketplace.

Value Added Tax

5. **Mr. Harry Greenway:** To ask the Chancellor of the Exchequer what is his latest estimate for VAT income for (a) the current financial year and (b) each of the previous two financial years; and if he will make a statement. [33409]

Mr. Heathcoat-Amory: VAT receipts for 1994-95 and 1995-96 were £41.8 billion and £43.1 billion respectively. The latest published forecast for 1996-97 is £47.9 billion.

Mr. Greenway: I welcome the rising trend announced by my right hon. Friend. Does it not compare favourably with the dismal stories put about by the dismal Johnnies in the Labour and Liberal parties—stories about declining economic activity and falling VAT receipts? Do not the figures reflect a more buoyant economy and augur well for a more cheerful future when tax cuts may in due course be made for everyone?

Mr. Heathcoat-Amory: My hon. Friend is right. The strong and buoyant figures for consumer expenditure are feeding through into higher VAT receipts. When my right hon. and learned Friend comes back from Lyon, he will no doubt read about my hon. Friend's enthusiasm for tax cuts.

Rev. Martin Smyth: Although I welcome the increase in VAT takings and realise that money talks, will the Minister undertake to review VAT on specialist equipment for the blind-deaf, so that they can play a fuller part in a society in which they are so often isolated?

Mr. Heathcoat-Amory: I am sure that the hon. Gentleman knows that equipment specially adapted for disabled people is zero rated—but we keep these matters under review and his comments will have been noted.

Sir Sydney Chapman: Although I am glad that VAT receipts are rising, will my right hon. Friend confirm that they are still a relatively small proportion of total tax receipts? Is he aware that in Social Democrat Sweden the VAT rate is 22 per cent., and it is on everything?

Mr. Heathcoat-Amory: My hon. Friend is entirely right about that. Not only do the Swedes have a much higher standard rate but they do not have our zero rates, so their tax system is a great deal more regressive than the United Kingdom's.

Ms Primarolo: Will the Minister confirm that he is considering introducing a statutory limit of six years on the refund of VAT campaigns? Will he confirm that he is doing so to prevent a haemorrhage of public funds and repayments, to close the gap on avoidance schemes which is opening up and to try to shore up the weak public finances that are undermining the Government's ability to do anything positive in the public sector?

Mr. Heathcoat-Amory: In answer to the original question by my hon. Friend the Member for Ealing, North (Mr. Greenway), I announced that VAT receipts over the past few months have been extremely buoyant. For April and May, they are 12 and 15 per cent. higher, respectively, than a year ago. So I do not understand how the hon. Lady can refer to a haemorrhaging of national finances. If she is saying that the Opposition are against stopping loopholes and avoidance schemes, that too is a most interesting announcement by an Opposition Front Bencher.

Interest Rates

6. **Mr. Pawsey:** To ask the Chancellor of the Exchequer if he will make a statement on his policy for interest rates. [33410]

Mr. Waldegrave: Interest rates are set to achieve the inflation target of 2½ per cent. or less.

Mr. Pawsey: I thank my right hon. Friend for that reply. Does he agree that low interest rates and low inflation are the prerequisites for any successful economy? Will he further agree that both conditions are currently in place, which is probably why the British economy is outperforming our principal competitors in Europe? Would he care to say what would happen to the economy if the policies of the Opposition, especially the social chapter, were implemented?

Mr. Waldegrave: To quote Aneurin Bevan, we do not need to look in the crystal ball, we can read the book in relation to the Opposition's policies. When they were running the economy, they achieved 27 per cent. inflation. When the Organisation for Economic Co-operation and Development reported on Britain in 1979, among its many criticisms of our economy was the fact that inflation was rising to 11 per cent. again. In its report this year, it says that the

> "United Kingdom has . . . become a more flexible and less inflation prone economy."

That is the achievement that we must maintain against the Opposition's damaging policies.

Mr. Sheldon: I welcome the reduction in interest rates and offer my congratulations to the Chancellor on his relationship with the Governor of the Bank of England, which is a pretty suitable one at present; but will he bear it in mind that the amount of research and development has declined during the past few months, a serious aspect, and that plant and machinery expenditure needs to be much higher? To deal with the shortcomings of the Government's economic policy, particular attention must be given to some form of capital allowances for plant and machinery in particular.

Mr. Waldegrave: One of the most satisfactory features of the last period—indeed, since 1979—has been the increase in the efficiency of capital investment, which is increasing faster in Britain than in other countries. It is also very satisfactory that in the last recession Britain did not cut its investment or its research and development as much as in previous recessions. Those are both good signs for the long-term health of the economy.

Mr. Hawkins: Does my right hon. Friend agree that it is a great triumph for Conservative policy that interest rates are now at a historic 30-year low? Will my right hon. Friend contrast that with the position in Germany, where industrialists are making it clear that they now realise that Germany's commitment to the social chapter is costing it hundreds of thousands of jobs? The leader of

the Labour party, in his recent visit to Germany's BDI, the convention of German industry, made it clear that he was still committed to the social chapter. His views are the views of failed old Germany's social democratic socialism.

Mr. Waldegrave: It was indeed a comic scene when the Leader of the Opposition, having gone to Germany to tell the German Chancellor that he would sign up to everything in Europe, then had to listen to a speech by Mr. Heinkel—during which, I believe, he made his excuses and left—in which Mr. Heinkel paid warm tributes to the British economy. It would have been better if the Leader of the Opposition had stayed and listened.

Mr. Andrew Smith: Does not interest rate policy depend critically on sound public finances? As the Chancellor has admitted that there was a mistake in his Budget calculation of tax revenues, as this year's borrowing races ahead of the Government's forecast, and as the right hon. Member for Wokingham (Mr. Redwood) warns in an article in *Public Finance* tomorrow that the Government have borrowed an extra £100,000 million during the past three years, is it not high time that the Chief Secretary quantified the mistake that was made in the Budget forecast, came clean with the House and started to tell us the true state of the public finances, and accepted the case that Labour has put forward for an independent audit of the books before the Budget in November?

Mr. Waldegrave: It will do the hon. Gentleman a great deal of good to learn economics from my right hon. Friend the Member for Wokingham. I am glad that he is reading his articles with attention. They are a very different kind of economics from those that he used to believe in. It will do him good to read my right hon. Friend's speeches. If the hon. Gentleman wants to look at public finances, he should first explain why, under the Labour Government—the only thing by which we can judge him—in every year on average, public borrowing was higher than it has been under the Conservative Government.

Mr. Olner: My hon. Friend the Member for Oxford, East (Mr. Smith) was at school then.

Mr. Waldegrave: The hon. Gentleman was indeed at school, learning the wrong economics which I am now glad to find that he is correcting by reading my right hon. Friend's speeches.

Taxation

7. **Mr. Thomason:** To ask the Chancellor of the Exchequer what are his objectives in the field of taxation; and if he will make a statement. [33411]

Mr. Jack: We aim to reduce the basic rate of income tax to 20p in the pound and abolish capital gains tax and inheritance tax. The Chancellor will make progress towards these objectives when it is prudent and sensible to do so.

Mr. Thomason: I congratulate my hon. Friend on that answer, which is good news for current taxpayers and taxpayers for many years ahead. Will my hon. Friend confirm that he has no proposals for hidden taxes and that he does not have anything up his sleeve, unlike the Labour party, which has so many proposals up its sleeve that it can hardly get its arm in it?

Mr. Jack: My hon. Friend rightly reminds us that the Opposition are trying to fix their policies, as usual—a state of division and divide. He is right about hidden taxes. We have no plans for a tartan tax, teenage tax, European jobs tax, car tax or a windfall tax. What are dangerous are the taxes that we can see coming, on the successful and the enterprising: the higher-rate taxes proposed for those who earn a little more than £30,000.

Mr. Winnick: Why does the Minister believe, like the rest of his ministerial colleagues, that a tax bribe before the next election will do the trick for them, when the large majority of people are paying a greater percentage in taxes than they were in 1979? That is a dismal failure, and it is unlikely that the electorate will forget it when the election comes.

Mr. Jack: That really is rich coming from the hon. Gentleman, who is a member of a party that disguised its own tax burden on the British people by borrowing so much money—to the equivalent of another 10p on the basic rate of tax. My right hon. and learned Friend the Chancellor is not in the business of playing fast and loose with the British economy. He made our position about future tax reductions absolutely clear in his Mansion house speech, and I commend that excellent text to the hon. Gentleman.

Inflation

8. **Mr. Amess:** To ask the Chancellor of the Exchequer if he will make a statement on his estimate of the rate of inflation for the remainder of 1996-97. [33412]

Mrs. Angela Knight: In the previous Budget, my right hon. and learned Friend the Chancellor forecast that underlying inflation would fall from 2¾ per cent. in the second quarter of 1996 to 2¼ per cent. by the second quarter of 1997. I remain confident that we are on course to meet our inflation target of 2½ per cent. or less.

Mr. Amess: In the light of that reply, does my hon. Friend agree that the rate of inflation still matters very much? Does she further agree that, if the Government were unwise enough to adopt the policies proposed by the Labour party and the Liberal Democrats, this country's trading position and its economic prospects generally would be fatally damaged?

Mrs. Knight: My hon. Friend is quite correct. Indeed, his analysis points out the terrible policies that the Labour party has on the economy, as indeed it has on so many other aspects of British life. He might be interested to know that the average rate of inflation when Labour was in control was just over 15 per cent., which meant that the average supermarket bill for an ordinary family rose by nearly £1,300 in two years. Those are the disgraceful consequences of the Labour party's absence of policy on inflation, as it is on every other aspect of the economy.

Mr. Pike: Does the Minister recognise that that inflation figure was achieved by taxing the average British family by an extra £2,000 a year? Do not most British families think that that taxation policy is hurting, that it is unfair and that it is not working?

Mrs. Knight: The hon. Gentleman always fails to recognise how much better off people are in this country now when we have run the economy so well. He also likes to deny that the average family will be some £450 better off this year. Our economy is growing when the economies of many other countries have stalled. Our economy is creating jobs; unemployment is rising elsewhere. The hon. Gentleman should congratulate the Government rather than always trying to run the country down.

Non-EU Countries

9. **Sir Teddy Taylor:** To ask the Chancellor of the Exchequer if he will initiate studies on the relative economic performance of west European nations that have decided, after referendums, not to join the EU. [33414]

Mr. Heathcoat-Amory: The country to which my hon. Friend refers is Norway, which decided not to join the European Union after a referendum. We have not conducted the study that my hon. Friend describes.

Sir Teddy Taylor: Should not the Chancellor of the Exchequer be genuinely alarmed that, in the European Union, almost 20 million people are unemployed—more than 11 per cent.—and rising; that in Britain, partly because of his natural brilliance, of which he is well aware, and also because we were chucked out of the exchange rate mechanism, unemployment is around 8 per cent.; and in Norway, which voted no against all the advice from the experts who said that it had to join to save jobs, unemployment is 4.5 per cent. and falling? Is that not a certain indication that further Euro-integration is simply a recipe for mass unemployment and despair? When will the Government wake up?

Mr. Heathcoat-Amory: Like Norway, this country has a good record on falling unemployment. Like Norway, we are determined not to catch the continental disease of tying up our labour market with regulations and red tape to such an extent that competitiveness and unemployment rises.

Mr. Skinner: What on earth possessed the Chancellor of the Exchequer to say the other day that Britain ought to be one of the first countries to join a European single currency? Do the Government not realise the madness of the exchange rate mechanism? The last time this Tory Government tried to shadow the mark, the last Chancellor and the Prime Minister together lost £10 billion in an afternoon, and never went near a betting shop.

Mr. Heathcoat-Amory: The hon. Gentleman has described Labour party policy on monetary union fairly accurately, but—not for the first time—he has not quoted my right hon. and learned Friend the Chancellor accurately. What is true is that this country would be among the first to qualify for monetary union under the convergence criteria, if we chose to do so. That gives us the advantage of being able to choose from a position of strength whether to take the enterprise any further.

Retail Prices Index

10. **Mr. David Evans:** To ask the Chancellor of the Exchequer which prices of which goods are monitored for the retail prices index. [33415]

Mrs. Angela Knight: The prices of over 600 representative goods and services are monitored each month to compile the retail prices index. For example, a variety of vegetables, such as peppers, are in the index. Details of the items are published each year in "Retail Prices Index Business Monitor".

Mr. Evans: I thank my hon. Friend for her reply. Will she thank and congratulate whoever included the red pepper in the retail prices index? It reminds us of Labour every single day, because it is bitter and twisted.

Does my hon. Friend agree that, if the red pepper ever returned to power via that lot opposite, with inflation at 26.9 per cent., it would not be long before members of the Transport and General Workers Union refused to collect rubbish in Leicester square? We would have rats as big as cats running around there. Moreover, members of the TGWU would not be prepared to dig graves, and we would not be able to bury our loved ones. Is that not what Labour is all about, always has been and always will be?

Mrs. Knight: My hon. Friend has put the case extremely well. Let me mention a couple of other things that would happen if the red pepper party, alias the Labour party, ever came to power. What would happen is exactly what has happened in the past: savings and pensions would be wiped out, unemployment would rise, companies would leave the country and the United Kingdom's competitiveness would fall.

Mr. Connarty: Is it not true that the current inflation rate has been reached through the crushing of the consumer expectations and hopes of the British people by adding £2,000 per annum to the average tax bill of a British family? Is it not also true that, in re-estimating the level of inflation, the Chancellor should re-estimate the level of the public sector borrowing requirement, which is expected to be £5 billion higher than his original estimate, and was £10 billion more last year than he had estimated? Is it not true that the national debt now amounts to £380 billion, having increased to that level over the past five years? We are storing up massive inflation for the British people.

Mrs. Knight: I always find it extraordinary when the hon. Gentleman is so cavalier about some of the successes of our economy. I remind him—as I shall no doubt do on many occasions—that, in the past 17 years, people have become considerably better off. They have more goods at home than they had in the past, and they will be £450 better off in the coming year. We have brought down the borrowing requirement. When we look at the list, which country do we find has the lowest mortgage rate for 30 years, which has the lowest basic rate of tax for over 50 years, which has lower unemployment than any other major European country and which has had the longest

period of low inflation for 50 years? Which country is number one in Europe for foreign investment? The answer is this country, under a Conservative Government.

Economy

11. **Mr. Clifton-Brown:** To ask the Chancellor of the Exchequer what assessment he has made of the findings of the Organisation for Economic Co-operation and Development report on the state of the British economy. [33416]

Mr. Waldegrave: The recent OECD report on the British economy confirmed and endorsed the success of the Government's economic policies across a broad front. The OECD expects the economy to continue growing at a healthy rate, with low inflation and falling unemployment.

Mr. Clifton-Brown: Has my right hon. Friend had an opportunity to evaluate the OECD report of 1979, and has he compared that with the report this year? Does not such a comparison show that in the intervening 17 years of Conservative Government, almost every economic indicator has improved substantially? Have not living standards improved substantially in that time? Is it not self-evident that if living standards are to double in the next 25 years, as is the Prime Minister's wish, we must have a Conservative Government for the next 25 years?

Mr. Waldegrave: My hon. Friend is absolutely right. No one would have dared to make such a well-founded pledge, as my right hon. Friend the Prime Minister has, in 1979 when, as the report shows, the economy was in collapse. You would rebuke me, Madam Speaker, if I read much of the report, but I remind the House that the OECD said:

"By the end of 1978, British external competitiveness was at its worst level since 1966"—

another Labour year—whereas now, international cost competitiveness remains sound. That is the fundamental truth.

Mr. Gapes: Can the Minister confirm that in 1979 approximately half the number of people were out of work than is the case today? Can he confirm that five years ago, the work force in this country was 26 million, but that today, it is only 25 million?

Mr. Waldegrave: There are more people in work now than there were then—[HON. MEMBERS: "No."] I believe that that is correct; I shall write to the hon. Gentleman if I am not correct. Much more fundamental is the point that the economies on the continent of Europe that have followed the advice of the hon. Gentleman and his Front-Bench colleagues since 1979 have had a far worse unemployment record during those difficult years than we have. That is the point. What matters is the future. Who is better now? We are better than the social democrat countries. Who will be better in future? The Conservative answer brings low unemployment; the Opposition's brings high unemployment.

Mr. Congdon: Does my right hon. Friend agree that one of the key factors in the improvement in the competitiveness of the British economy has been the success in controlling inflation? Does he also agree that that success would be put at risk if we allowed wage rates to rise by caving in to disputes in the public sector, whether in the Post Office or on the tube, or if we introduced a minimum wage which would put up employers' costs and feed through into inflation? Would it not be a disaster to let either of those things occur?

Mr. Waldegrave: The 1979 report described truthfully the disastrous state of British labour relations. The Labour party should be called on clearly to condemn today's unnecessary strike on the underground system because sensible mediation is on offer from the employers. I suspect that it will not do so because many Labour Members are sponsored by the relevant unions.

Mr. Darling: Given that the OECD has said that the British Government's deficit is the second highest in the G7, has the Chief Secretary any confidence that the Government will meet their borrowing target this year, when they have missed the target in each of the past four years?

Mr. Waldegrave: The public sector borrowing requirement is on a steady downward trend; there is nothing wrong with the public finances of this country. The hon. Gentleman would have a greater right to criticise if at any time in the past few years he had given an opinion on whether tax should be higher or lower and on whether interest rates should be higher or lower, or if he had given any other opinion on the management of the economy. The right hon. Member for Dunfermline, East (Mr. Brown), who is unable to be with us today because of Scottish problems, has never given advice on those issues.

Government Spending

12. **Mr. Colvin:** To ask the Chancellor of the Exchequer what is his latest percentage target for cuts in overall Government spending for the financial year 1997-98. [33417]

Mr. Waldegrave: Our plans are to hold overall public expenditure in 1997-98 at the same level in real terms as it was in 1995-96. The Government's target is to reduce general Government expenditure as a share of national income to below 40 per cent., and to reduce it further if possible.

Mr. Colvin: Will my right hon. Friend note that defence expenditure is a lower proportion of general expenditure than it has been previously? Has he studied the defence White Paper which shows that, in real terms, expenditure on defence for the three years from now will remain more or less constant? Those figures are based on an underspend last year of £500 million and, therefore, represent cuts. Can my right hon. Friend assure us that the Treasury regards the defence of the realm as the first duty of any Government? Will he ensure that funds are made available to our overstretched armed forces to improve recruiting and to give them the equipment they require to carry out their extremely difficult task?

Mr. Waldegrave: I pay tribute to the way in which the armed forces and my right hon. Friends in the Ministry of Defence have reshaped the forces after the end of the cold

war to ensure that that first duty is properly met. I can give my hon. Friend the assurance that no Conservative Government will take risks in that area.

Mr. Soley: What estimate has the Minister made of the increased spending required for bovine spongiform encephalopathy payments?

Mr. Waldegrave: The best estimate that I can give the hon. Gentleman on BSE is that additional spending this year will be around £1 billion, gross spending over the next three years might be around £2.5 billion, or around £2 billion net of predictable receipts from the European Union.

Interest Rates

13. **Sir Michael Shersby:** To ask the Chancellor of the Exchequer what has been the effect on the average mortgage payment of recent reductions in interest rates. [33418]

Mr. Heathcoat-Amory: The cuts in mortgage rates over the past year will leave the average mortgage payer about £400 a year better off.

Sir Michael Shersby: Does my hon. Friend agree that average mortgage payments are now about £107 a month lower than they were in October 1990—even allowing for mortgage interest relief at source—that the affordability index is now excellent, particularly for first-time buyers and that there is strong evidence that they are coming back into the market in large numbers?

Mr. Heathcoat-Amory: Yes, my hon. Friend is spot on. House prices are relatively low compared with average earnings, so property is a good buy. Meanwhile, the four interest rates cuts since the Budget have been followed by mortgage interest reductions. That is good news for millions of borrowers and has helped to continue the steady increase that is fully sustainable in house prices.

Mr. Chisholm: In spite of the fact that our interest rates are higher than those in any G7 country apart from Italy and that the City expects interest rates to rise in the next year, is it not the case that interest rates have not fallen in order to help mortgage payers, but because of fundamental weaknesses in the economy with manufacturing in recession and manufacturing investment in decline?

Mr. Heathcoat-Amory: The hon. Gentleman may be disappointed that the British economy is now performing extremely well by international and historic standards. Mortgage interest rates are now below 7 per cent.—the lowest level for about 30 years—compared with a rate of more than 11 per cent. under the last Labour Government.

Mr. Bernard Jenkin: May I congratulate my right hon. Friend on his success in reducing interest rates? Does he agree that that is best achieved by applying a national monetary policy to national economic conditions and making sure that we have a balanced economic framework to produce the best outlook for a generation?

Mr. Heathcoat-Amory: I agree that it is an impressive achievement in monetary policy. My hon. Friend also knows that we have no immediate plans to transfer monetary policy to anyone other than the Treasury.

Manufacturing Output

14. **Mr. Rooker:** To ask the Chancellor of the Exchequer what fiscal proposals he has to stimulate manufacturing output. [33419]

Mr. Jack: All businesses will benefit from the tax cuts in the Budget and the four interest rates cuts announced since last December.

Mr. Rooker: Does the Minister accept that Britain should be first and foremost a manufacturing nation? Notwithstanding contributions to the economy from other sectors, is it not a tragedy that our manufacturing base contributes less to the economy than financial services? Is it not the case that although manufacturing industry does not exist to create jobs, it must create wealth and we are slipping too far behind?

Mr. Jack: In reply to the hon. Gentleman's first question—what a contemptuous statement on all those who work in the City, banking and other financial institutions and who generate so much of our invisible wealth. However, I share the hon. Gentleman's enthusiasm for manufacturing industry. It is a pity that he did not mention Rockwell Light Vehicle Systems which has invested £7.9 million in the west midlands, Everset Frozen Food, an American company which has invested £28 million there and Mann and Hummel, a company that makes air filters, which has invested £13 million in the west midlands. Nor did he mention the 58 German companies fleeing the social chapter to invest in manufacturing in the best place in Europe to make things.

Mr. Forman: Is my hon. Friend aware that it is not so much special fiscal measures, but the right overall economic climate, with low interest rates, low inflation and minimum regulation that is necessary to support our manufacturing?

Mr. Jack: My hon. Friend is entirely right. The flexibilities in the British labour force and the excellence and strength of our economic policies have made us attractive and the number one place for inward investment in Europe.

Venture Capital

15. **Mr. Dykes:** To ask the Chancellor of the Exchequer what is his assessment of the Coopers and Lybrand report on the venture capital industry. [33420]

Mr. Jack: The report finds that the United Kingdom venture capital industry is the largest in Europe and has made an important contribution to the growth of most of the venture-backed firms surveyed.

Mr. Dykes: Will my hon. Friend confirm that the Government have given very strong psychological support to venture capital companies, the trust and systems and

that the companies promoted under those systems have shown astonishingly above average growth in comparison with general indices?

Mr. Jack: My hon. Friend is entirely correct. The venture capital trust that the Government have backed has taken £150 million and the enterprise investment scheme is prospering. The British venture capital trust recently commissioned a report from Coopers and Lybrand that showed that over the four years from 1990 to 1995, sales of venture capital-backed companies had risen by 34 per cent.—five times faster than the FTSE 100 companies. That shows the tremendous response of those venture capital companies.

PRIME MINISTER

Engagements

Q1. **Mr. McFall:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33395]

The Deputy Prime Minister (Mr. Michael Heseltine): I have been asked to reply.

My right hon. Friend the Prime Minister is attending the G7 summit in Lyons.

Mr. McFall: Does the Deputy Prime Minister agree with the Secretary of State for Scotland's recent statement that, if the Scottish people endorse a Scottish Parliament in a referendum, no future Conservative Government would abolish it? Will the Deputy Prime Minister give a commitment on that?

The Deputy Prime Minister: I am very interested to hear the hon. Gentleman's view of Labour's policy in Scotland, but that was yesterday's statement. Labour's policy in Scotland is a shambles. The right hon. Member for Sedgefield (Mr. Blair), the Leader of the Opposition, when campaigning for the Labour leadership in 1994, said:

"I believe firmly that we should legislate in our first year for the establishment of a Scottish Parliament."

Just the other day, Labour's Scottish spokesman said:

"We have no proposals for a referendum because we want to legislate early and quickly for this outstanding commitment, and that is clear party policy."

Now what have we got? Without consulting the Scottish Labour party, the parliamentary Labour party or most of the Shadow Cabinet, the Labour leader has panicked. He has sold out his promises to Scotland at the first whiff of anxiety in middle England. It is called policy making by focus group. I can well remember Labour running Britain with beer and sandwiches in Downing street, but running Scotland over pasta and Chianti in Islington is quite another thing.

Q2. **Mr. Jacques Arnold:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33396]

The Deputy Prime Minister: I have been asked to reply.

I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Arnold: Is my right hon. Friend aware that there is a side effect of such a policy which would anger the people of Kent, who would find themselves with a regional Government run from Guildford on the other side of London? Is he also aware that the people of Kent and those in the other English regions would be fed up with more politicians, bureaucrats and taxes imposed on them?

The Deputy Prime Minister: I can allay my hon. Friend's anxieties because the next Government have no plans to introduce regional assemblies.

Mr. Rooker: Can I ask the Deputy Prime Minister about Government policy, which will give him time to calm down? Will he confirm today's reports that the Treasury has told the Ministry of Defence that cuts of £1.6 billion in defence equipment will be required this year if the sell-off of married quarters is blocked? Does that not show that the purpose of the sales has nothing to do with the good of service personnel, but is simply a short-term fix for the Government's finances? Is it true that service families could be required to move against their will for non-military reasons so that an estate can be parcelled up for sale as a whole?

The Deputy Prime Minister: May I, in the time-honoured courtesy of the House, welcome the hon. Gentleman to the Dispatch Box in the absence of any member of the shadow Cabinet prepared to come here today? *[Interruption.]* Again, following the time-honoured courtesies of the House, may I say to the deputy leader of the Labour party—who has sadly had an accident to his leg and has received excellent treatment under the NHS—"Come back soon, John. We know it's hurting, but we know it's working" *[Interruption.]*

Madam Speaker: Order. The deputy Prime Minister has a question to answer.

The Deputy Prime Minister: Madam Speaker, that is a timely reminder of the reason why I am standing here. The hon. Gentleman and his party are keen on a fundamental defence review—we do that every year.

Mr. Rooker: Madam Speaker, I know that I am new at this, but I thought that the Deputy Prime Minister was paid a lot more than I am to answer questions. We are dealing with real people, such as the RAF officer's wife—now widowed—who moved for military reasons eight times in two and a half years, and a British Army colonel with distinguished service in Bosnia who moved 23 times in 23 years for military reasons. They did that because they had the comfort of knowing that suitable quarters would be available at the right time and in the right place. Has the deputy Prime Minister not received the letter from the Secretary of State for Defence to hon. Members today, which states that

"too many homes are in poor condition"?

Does not the promised £100 million to upgrade the married quarters amount to less than £2,000 a dwelling, compared with the average housing renovation grant in England of £10,000? Will the Government now heed the call from the Army's Families Federation and the Royal British Legion that the proposed sale of married quarters be postponed, pending a detailed review in this House?

The Deputy Prime Minister: I notice that the hon. Gentleman has just told the House that £100 million-worth of renovation is not adequate for the task. No wonder the shadow Chancellor is not in the House to hear him make that observation. Everyone who enters service life knows that, as a condition of service, they may be expected to move as part of their obligations as members of Her Majesty's armed services.

Mr. Couchman: Does my right hon. Friend think that the education reforms announced this week will help to raise education standards in Islington to a point where the Leader of the Opposition no longer feels it necessary to send his children out of the borough and across London every day?

The Deputy Prime Minister: My hon. Friend makes the critical point. Labour controls most of the education authorities in this country and if it had the first idea how to raise standards, it would not be calling on the Government to do it—it would get on and do it.

Q3. **Mr. David Marshall:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33397]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Marshall: Does the Deputy Prime Minister agree with the real Prime Minister that it is all right to offer Northern Ireland devolution with a Secretary of State in the United Kingdom Cabinet and no reduction in the numbers of Members of Parliament at Westminster, but not all right to do the same for Scotland? Does he not understand that offering devolution to Northern Ireland while denying it to Scotland is a gross insult to the people of Scotland?

The Deputy Prime Minister: The hon. Gentleman can go and try to persuade the Scottish people that they want the ability to have taxes raised by a Scottish Assembly—that they want a tartan tax. If he can persuade them of that, doubtless the referendum will produce the result that the Labour party wants. But the fact of the matter is, as I said to the House earlier, that the Labour party's policies on devolution are now a shambles.

Mr. Hawkins: Will my right hon. Friend, as a fellow Celt, reaffirm his commitment to the Union of the United Kingdom? Does he agree with me that the policies of the Labour party will destroy the Union of the United Kingdom?

The Deputy Prime Minister: I am most grateful to my hon. Friend for raising that question. Nothing shows more obviously the cynical nature of the Labour party's policies than that it has different approaches for Wales and for Scotland.

Q4. **Mr. William O'Brien:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33398]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. O'Brien: Has the Deputy Prime Minister seen the survey of the regions carried out by his Government, which reveals that the wealth of people in the United Kingdom is falling further behind that of people in other European countries? Has he seen that in Yorkshire crime is higher, deaths in the first year after birth are higher, 50 per cent. of women employed are in part-time jobs—that is more than anywhere else—and truancy in secondary schools is greater than anywhere else? This is the record of 17 years of Tory Government. What is he going to do about it?

The Deputy Prime Minister: The hon. Gentleman should take the trouble to look at the base source of years on which that report is based. The fact is that those were 1993 figures. If the hon. Gentleman looked at the recent Organisation for Economic Co-operation and Development figures he would find that our economy was forecast to grow faster than any other European economy this year and next year, that we have the fastest increase in employment, the highest proportion of our people in work and an 800,000 reduction in unemployment. The Conservative party in power will preserve the competitive edge of the United Kingdom, which means that 40 per cent. of all inward investment into Europe comes into the United Kingdom.

Sir Michael Shersby: Will my right hon. Friend assure me as an Englishman representing an English constituency that, should a Labour Government ever offer a referendum to Scotland, he will campaign for a referendum in England on whether those Labour Members of Parliament should retain their votes in the Westminster Parliament?

The Deputy Prime Minister: I think that the answer to that question will have to come from the party that is proposing so divisive a proposal for the United Kingdom. Labour Members of Parliament will have to answer the question first raised by the then hon. Member for West Lothian, now the hon. Member for Linlithgow (Mr. Dalyell), who has not yet received an answer because there is no answer. The question is why Scottish Members of Parliament should have powers in Scotland as well as powers in England which would be denied to English Members of Parliament in respect of Scotland.

Q5. **Mr. Mullin:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33399]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Mullin: Is the Deputy Prime Minister aware that last night's European football championship, watched by 28 million people, could be the last to be available on independent television or the BBC? What plans does he have to prevent Mr. Murdoch's pay television from

kidnapping major sporting events in the future? Or is this another case of the party that promises more choice, delivering less?

The Deputy Prime Minister: I did not need to fly 13,000 miles across the world to try to ingratiate myself with Rupert Murdoch. If I may address the substance of the issue, as the hon. Gentleman will know, the Premier League recently entered into a contract under which some £700 million will be injected into the sport, in addition to the remarkable benefits from the lottery in support of sport—all created by the present party in Government as a result of the creation of independent television and the establishment of the lottery. The Labour party should recognise that under this Prime Minister more has been done for sport than by any Government since the end of the war.

Mr. John Marshall: Will my right hon. Friend condemn the disruption on London Transport today, which inconvenienced thousands of my constituents and hundreds of thousands of Londoners? Will he compare that disruption with the positive policy of the Government of upgrading the Northern line, extending the Jubilee line, building the Heathrow to Paddington link and improving the docklands light railway?

The Deputy Prime Minister: I unreservedly condemn those who put the public to such inconvenience. I would welcome the support of the Labour party for that condemnation, but I know perfectly well that I will not get it because a significant number of Labour Members are sponsored by the unions that caused the trouble in the first place.

Q6. **Mr. Clapham:** To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33401]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Clapham: The Deputy Prime Minister will be aware that the Secretary of State for Social Security in 1993 tried to add a sweetener to the bitter pill of the Deputy Prime Minister's colliery closure programme by introducing awards for miners who were suffering from chronic bronchitis and emphysema. Later, it proved that the diagnosis criteria were too restrictive and the Industrial Injuries Advisory Council has carried out a further study that was reported to the Secretary of State for Social Security earlier this year. I understand that he has accepted its recommendations but nothing has yet been done. Will the Deputy Prime Minister try to ensure that those recommendations are implemented before Parliament rises for the summer because elderly miners in my constituency and throughout the country are dying of dust?

The Deputy Prime Minister: I give the hon. Gentleman the assurance that I will consider that point as a matter of urgency.

Business of the House

3.31 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Leader of the House set out the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business of the House for next week will be as follows:

MONDAY 1 JULY—Progress on remaining stages of the Broadcasting Bill *[Lords]*.

TUESDAY 2 JULY—Completion of remaining stages of the Broadcasting Bill *[Lords]*.

Motion relating to the Social Security (Disability Living Allowance and Claims and Payments) (Amendment) Regulations.

WEDNESDAY 3 JULY—Until 2 o'clock there will be debates on the motion for the Adjournment of the House.

Proceedings on the Statutory Instruments (Production and Sale) Bill.

Proceedings on the Social Security (Overpayments) Bill.

THURSDAY 4 JULY—Until about 7 o'clock motions on the Structural and Boundary Change Orders. Details will be given in the *Official Report*.

FRIDAY 5 JULY—The House will not be sitting.

The provisional business for the following week will be as follows:

MONDAY 8 JULY—Remaining stages of the Housing Grants, Construction and Regeneration Bill *[Lords]*.

Motions on the Industrial Tribunals (Northern Ireland) Order and the Employment Rights (Northern Ireland) Order.

TUESDAY 9 JULY—Opposition Day [18th allotted day]. There will be a debate on an Opposition motion. Subject to be announced.

Motions relating to the Occupational Pension Schemes Regulations.

WEDNESDAY 10 JULY—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Remaining stages of the Education (Scotland) Bill *[Lords]*.

Remaining stages of the Deer (Amendment) (Scotland) Bill *[Lords]*.

THURSDAY 11 JULY—It is expected that there will be debates on motions for the Adjournment of the House.

FRIDAY 12 JULY—Private Members' Bills.

The House will also wish to know that on Wednesday 3 July, there will be a debate on European water policy in European Standing Committee A.

The House may also wish to know that it is proposed that on Wednesday 10 July there will be a debate on maritime policy in European Standing Committee A and a debate on the EC budget and the financial perspective in European Standing Committee B.

Subject to the progress of business, it will be proposed that the House should rise for the summer recess at the conclusion of business on Thursday 25 July and return on Monday 14 October.

[Wednesday 4 July: European Standing Committee A—European Community Documents: a) 8600/94; Ecological Quality of Water. b) 5939/96; EC Water Policy. Relevant European Legislation Committee Reports a) HC 70-ii (1994-95) and HC 48-xxvi (1993-94). b) HC 51-xvii (1995-96).] Wednesday 10 July: European Standing Committee A—European Community Document: 6813/96; Maritime Policy. Relevant European Committee Report HC 51-xxi (1995-96). European Standing Committee B—European Community Documents: a) COM(96)300; EC Preliminary Draft Budget for 1997. b) 6431/96 + COR 1; Financial Perspective. Relevant European Legislation Committee Reports a) HC 51-xxiii (1995-96). b) HC 51-xix (1995-96) and HC 51-xxii (1995-96).]

THURSDAY 4 JULY—*Motions on the Structural and Boundary Change Orders. The relevant orders are as follows:*

The Cambridgeshire (City of Peterborough) (Structural, Boundary and Electoral Changes) Order 1996; The Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change) Order 1996; The Nottinghamshire (City of Nottingham) (Structural Change) Order 1996; The Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996; The Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996; The Essex (Boroughs of Colchester, Southend-on-Sea and Thurrock and District of Tendring) (Structural, Boundary and Electoral Changes) Order 1996; The Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996; The Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996; The Shropshire (District of the Wrekin) (Structural Change) Order 1996; The Berkshire (Structural Change) Order 1996.

TUESDAY 9 JULY—*Occupational Pension Schemes Regulations.*

The relevant regulations are as follows:

The Occupational Pension Schemes (Pensions Compensation Board Limit on Borrowing) Regulations 1996; The Occupational Pension Schemes (Mixed Benefit Contracted-out Schemes) regulations 1996; The Occupational Pension Schemes (Requirement to Obtain Audited Accounts and a Statement from the Auditor) Regulations 1996; The Occupational Pension Schemes (Member-Nominated Trustees and Directors) Regulations 1996.]

Mr. Rooker: I am grateful to the Leader of the House for again giving as nearly as possible two full weeks of business. His statement has obviated the need for one of my questions. The school holidays started yesterday in Scotland and it is important for hon. Members' families to know the recess dates.

Will the right hon. Gentleman arrange an early debate on data protection in view of the decision yesterday by the British Medical Association that general practitioners should not sign up to the proposed NHS data network? There is obvious concern that too many people other than doctors will gain access to confidential reports about patients. There are reports that the Government have resisted the British Medical Association's suggestions on ways to protect sensitive information. We believe that patients are entitled to know that their medical records are secure from anyone who wants to probe on the network, whether employers, banks or insurance companies.

[Mr. Rooker]

In view of the Deputy Prime Minister's ignorant—I was going to say inadequate—response to the points relating to married quarters, will the Leader of the House arrange a debate on early-day motion 1040?

[*That this House notes that the Government proposes to sell all Ministry of Defence married quarters in England and Wales, including those occupied by service families as well as empty properties, to developers; further notes that this will leave service tenants dependent on a declining number of properties leased back for 25 years; notes that most of the properties can be exchanged by the developer with a neutral arbitrator, rather than the tenants or the Ministry of Defence, deciding whether or not exchanges are permitted; notes that the arbitrator will have to base his decision on set criteria which are vaguely worded, so that developers with expert legal advice will be able progressively to cream off the best estates; notes that steep rises in rents and the downward ratchet on the number of homes leased back, embodied in the proposed scheme, will progressively reduce and break up married quarter estates; notes that, especially at a time of overstretch, and poor recruiting and retention these estates play a vital role in maintaining the morale of service families and the maintenance of the regimental system; and calls on the Government to dispose of surplus estates, to provide homes for civilian families but, before selling any estate with service tenants, to consult the tenants on the estate, to report to Parliament on the outcome of the consultation and to table an affirmative resolution in both Houses.*]

Such a debate would enable hon. Members on both sides of the House to put service families' concerns to the Government across the Floor of the House before their houses are sold over them.

If reports are correct that, before the recess, a White Paper is to be published on the legal aid service which is purported to be the biggest shake-up in its 46-year history, the relevant Minister should make a statement in the House so that hon. Members can check on the price of justice for their constituents.

Mr. Newton: I have no plans for a debate on data protection, but I shall draw the hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for Health. There is probably disappointment in some quarters of the House that we are not rising earlier than I have announced today, and I cannot envisage the possibility of too many more debates unless the hon. Gentleman wishes to press to be here into August.

The hon. Gentleman referred to Ministry of Defence married quarters. I do not accept that my right hon. Friend the Deputy Prime Minister's answers were inadequate. I say clearly—as my right hon. Friend the Prime Minister said on Tuesday at Prime Ministers questions—that is it the Government's belief and firm intention that the sale will improve the quality and management of service housing to the benefit of those about whom the hon. Gentleman is concerned.

We expect and intend to publish a White Paper on legal aid, and I note the hon. Gentleman's request for a statement.

Finally, in the spirit of the approaching holiday season, I congratulate the hon. Gentleman on his work rate this afternoon.

Mr. Tim Renton (Mid–Sussex): I should like to press my right hon. Friend for one more debate before the recess. Has he seen early-day motion 953?

[*That this House deplores the steep decline in serious reporting and analysis of politics and current affairs in the United Kingdom; notes that this decline has gathered pace in recent times, with increasing emphasis on personalities rather than policies, and on trivia rather than substance; notes the growing contrast both with the past in British journalism and with certain high quality daily newspapers in other countries; and suggests that the editors of those national papers that aim to contribute significantly to opinion-forming should demonstrate a more serious and less personal approach, and seek to achieve more balanced coverage and comment in relation to public issues and political development.*]

It is signed by 54 hon. Members from both sides of the House and calls attention to the steep decline in the serious reporting and analysis of politics and current affairs in the United Kingdom. It calls on the editors of the high-quality daily newspapers to seek to achieve more balanced coverage and comment in relation to public issues and policy development.

The competition among the broadsheets, between the broadsheets and the tabloids, and between the broadsheets and television and radio seems bound to continue. As the subject concerns hon. Members on both sides of the House, will my right hon. Friend find time as the Broadcasting Bill nears its conclusion for a debate on the subject in the House? In the dog days as we near the summer holidays, it seems appropriate that a debate on the issue should be led by that guardian of the media's probity, my right hon. Friend the Secretary of State for National Heritage.

Mr. Newton: The two days' debate on the Broadcasting Bill next week may provide my right hon. Friend and others with an opportunity to make their point. I entirely accept that it is a serious one and his remarks will have struck a chord in various parts of the House. On a lighter note, quite apart from the difficulties of organising further debates for the reasons that I have mentioned, I would hesitate to provide time for a debate when, according to what my right hon. Friend has said, it would not even be reported.

Mr. Malcolm Bruce (Gordon): Will the Leader of the House find time for a debate on nurses' pay in view of the report published by the Royal College of Nursing on 17 June, referred to in early-day motion 1018, tabled by my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes)?

[*That this House notes the report, Broken Promises, on the state of local pay in the nursing profession, published on 17th June by the Royal College of Nursing; notes the report's findings that only 111 out of 488 NHS trusts have made pay offers to nurses above the 2 per cent. national pay award; notes that this has demoralised many nurses and done nothing to allay the problems of recruitment which the NHS currently faces; notes that many nurses have lost all confidence in the independence of the Pay Review Body; calls for a single national pay review body for the whole NHS to remove the inequalities in consideration of pay rises between professions and occupations in the health service; and further calls for an annual increase in nurses' pay by at least the level of national inflation.*]

Nurses feel aggrieved that the Government's predictions that awards would be topped up have not materialised. Does the Leader of the House agree that that is a matter for real concern and that the Government should explain to the House their response to the position reported by the Royal College of Nursing?

Mr. Newton: The hon. Gentleman has asked his question courteously and, in the same spirit, I will draw it to the attention of my right hon. Friend the Secretary of State for Health. The hon. Gentleman requested a debate, but the House spent all day yesterday debating the health service. If the Liberal Democrats had not been able to make that point in yesterday's debate, I would have been surprised.

Sir Patrick Cormack (South Staffordshire): Am I right to infer from what my right hon. Friend said that when we come back on 14 October, it will be to complete the unfinished business of this Session? If I am right, when will we have the state opening of the new Session?

Mr. Newton: I cannot go so far as to give the date that my hon. Friend has requested, but I can certainly confirm that we shall come back on 14 October to complete the business of the present Session.

Mr. David Winnick (Walsall, North): Given the Prime Minister's record of luck, will we have an opportunity next week to ask him not to declare his preferences publicly when an important event like yesterday's takes place? If he had not, we might have stood a better chance of winning.

Mr. Newton: I can only imagine what would have happened had the Prime Minister, or any of us, said anything other than England when asked whom we wanted to win.

Mr. Harry Greenway (Ealing, North): Will my right hon. Friend go further and agree to a debate on Euro 96 so that we can congratulate the England team on a splendid performance in every possible way?

Mr. Newton: That sounds like a genuinely good idea and, even if I cannot provide a debate, I am happy to join in the good wishes and congratulations expressed to the England team for the way in which it has performed throughout the competition.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the Leader of the House reconsider his answer on NHS records? He will be aware that if any member of NHS staff discloses patient details, he or she is subject to immediate disciplinary action and to dismissal. It would be the ultimate horror if it were possible for a clever computer hack to gain access to the intimate details of patients' records. Unless the Government can assure us that that will not happen and unless the Secretary of State will confirm that in the House, doctors and patient record controllers in the health service must give a guarantee to their patients that they will not put details on to the NHS computer.

Mr. Newton: I see no need to reconsider my earlier answer, not least because it did not say anything. I merely said that I would draw the attention of my right hon. Friend the Secretary of State for Health to the observations that have been made and, of course, I will also draw his attention to the hon. Lady's observations.

Mr. Peter Viggers (Gosport): May I join the hon. Member for Birmingham, Perry Barr (Mr. Rooker) in urging the Leader of the House to allow an early debate on the Government's proposals for Ministry of Defence housing? Is not it clear that many hon. Members suffer from a serious misapprehension about the Government's intentions? Those of us who have studied the subject in detail have been completely convinced about the Government's determination to improve housing for service personnel and that the present proposals will do that. A debate would enable those facts to be made clear.

Mr. Newton: I am extremely grateful to my hon. Friend, who probably knows as much about these matters as any Member of the House and whose opinion on them is well respected. I hope that what he said will be taken carefully into account by those who have made different points.

Mrs. Margaret Ewing (Moray): Reference has already been made to the issue of MOD housing in which I have a constituency interest. Is the Leader of the House aware of the great interest in the decisions on defence procurement that must be taken soon, not least of which is the decision on the replacement for the Nimrod, which is based in my constituency at RAF Kinloss, and the replacement of the radar system for the search-and-rescue Sea King helicopters? Can he assure us that the Secretary of State for Defence will make an announcement on the decisions clearly and publicly in the House and not through a planted question?

Mr. Newton: I shall bring the hon. Lady's request to the attention of my right hon. Friend. I draw her attention to the fact that Defence Questions will take place on Tuesday 9 July. I am well aware of the level of interest in these matters, as my constituency contains a significant number of people who work in defence-related industries.

Mr. Bob Dunn (Dartford): Will the Leader of the House agree to an urgent early debate on the nature of our constitution and the proposals for constitutional reform? People who seek to destroy our constitution do so at their peril, and they do so for reasons of gimmickry, not principles of genuine reform.

Mr. Newton: I agree with the thrust of my hon. Friend's remarks, and I shall bear in mind his request for a debate on this matter—even though it may not be possible to arrange one before the summer recess.

Ms Joan Walley (Stoke–on–Trent, North): The Leader of the House was in the Chamber when my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) referred to the chronic bronchitis and emphysema regulations for former miners. Will he give us an assurance that there will be an early debate on this issue before the summer recess so that the

[Ms Joan Walley]

recommendations of the Industrial Injuries Advisory Council, which I believe have been accepted, can be fully implemented?

Mr. Newton: I cannot add to what my right hon. Friend the Deputy Prime Minister said a few moments ago, except to say that I too—not least in my capacity as a business manager—will be making inquiries about the point that was raised. Obviously, I have a close interest in this matter, as I was the Minister responsible for the Industrial Injuries Advisory Council and related issues for many years.

Mr. John Butcher (Coventry, South-West): Will my right hon. Friend give us his best estimate of the day on which we will debate the recommendations of the Senior Salaries Review Body in relation to the pay of Members of Parliament? Does he agree with me that he should—as Leader of the House, in his all-party mode—seek to negotiate assurances from the leaders of all the parties in the House that there will be a genuinely free vote and that none of them will seek to take party advantage from the debate?

Mr. Newton: I note my hon. Friend's points, but I cannot give him the date on which the debate will take place. My right hon. Friend the Prime Minister expects to receive the Senior Salaries Review Body's report later today and, of course, the Government wish to consider its recommendations carefully. We are aiming to publish the report on 4 July—the date on which we will also make known the Government's views. Today, I will write to the leaders of the other parties on behalf of my right hon. Friend the Prime Minister, who is absent in Lyon. I will send them a copy of the report and offer them the opportunity to comment to my right hon. Friend the Prime Minister before it and our views are published.

Rev. Martin Smyth (Belfast, South): The Leader of the House will have heard the Deputy Prime Minister give an assurance that an incoming Conservative Government would not introduce assemblies in Scotland or in Wales. Will the Government begin to govern Northern Ireland at the same level as they are governing the rest of the United Kingdom? I have pressed for a meeting of the Northern Ireland Grand Committee for a long time. This week, a decision was taken by the Northern Ireland Office to scrap two education boards, against the wishes of the overwhelming majority of the people in Northern Ireland.

Mr. Newton: I shall focus on the hon. Gentleman's request for a meeting of the Northern Ireland Grand Committee which, as I have said before, is under active consideration. Provided that we are sure that arrangements can be made that are acceptable to all parties in Northern Ireland, we will be happy to arrange for that. I hope that we will be able to do so before the summer recess.

Mr. Jacques Arnold (Gravesham): May we have a debate next week on early-day motion 1053, tabled by my hon. Friend the Member for Coventry, South-West (Mr. Butcher)?

[*That this House notes with sadness that for the first time in its history the TUC is led by a General Secretary who through his advocacy of early entry into EMU is prepared to connive at an increase in unemployment, particularly in the manufacturing and traded goods sectors; regrets that the General Secretary is prepared to serve the interests of a European political elite at the expense of British and European trades unionists and other workers; and calls on the TUC to sack the General Secretary for his betrayal of his members' interests and lack of intellectual rigour in examining the pros and cons of EMU.*]

It regrets that the General Secretary of the Trades Union Congress proposes the return of Britain to the EMU in the immediate future. Is it not a shame to see—yet again, as in the days of old—the General Secretary of the TUC advocating policies that would damage the employment of his members in the manufacturing sector, purely so that he can follow the misguided policies of the Leader of the Labour party?

Mr. Newton: The answer to my hon. Friend is yes.

Mr. Alan Simpson (Nottingham, South): Will the Leader of the House arrange for a debate about the adequacy of the current voluntary agreement between the Government and the tobacco industry in light of some serious breaches of that code? On 3 August the Gallagher tobacco company will stage a rave dance event in Nottingham as part of the Renaissance Silk Cut tour. It openly advocates smoking and it will give away free cigarettes to the young people who attend the event. I wrote to the Minister in May complaining about the company's activities and I was appalled to receive a reply recently saying that the Government propose to take no action against that flagrant disregard of the terms of the agreement. The House should debate whether, in light of the Government's inaction, the voluntary agreement is an adequate means of pursuing a reduction in cigarette smoking among young people.

Mr. Newton: I will bring the hon. Gentleman's remarks to the attention of my right hon. Friend.

Mr. John Marshall (Hendon, South): May we have an urgent debate on early-day motion 1016?

[*That this House welcomes the initiative of Her Majesty's Government in appointing Sir David Hannay as their special representative for Cyprus; and wishes him all success in the achievement of a just solution of lasting benefit to all the citizens of the Republic of Cyprus whatever their ethnic origin.*]

Does my right hon. Friend accept that the continued division of Cyprus is intolerable and that it is wrong that people should be denied the right to live in the houses and in the villages where their families have lived for generations? Many people welcome the appointment of Sir David Hannay and we hope that some action will be taken in the not too distant future.

Mr. Newton: I am grateful for the support of my hon. Friend and of others expressed in the early-day motion regarding Sir David Hannay's appointment. The Government are determined to strengthen our efforts to help to secure a negotiated settlement in Cyprus.

Mr. David Alton (Liverpool, Mossley Hill): Like every other hon. Member, this morning the Leader of the House will have received from the hon. Member for

Birmingham, Edgbaston (Dame J. Knight) a survey conducted by an organisation that is examining the connection between violence and the levels of violence transmitted on television. Included with the report is a letter from the right hon. Member for Selby (Mr. Alison) urging hon. Members to support two new clauses to the Broadcasting Bill which are on the Order Paper and which we hope will be selected and debated on Monday. They represent modest attempts to monitor the level of television violence and to do something effective about it. Will the Leader of the House promise that he will consult his Cabinet colleagues over the weekend so that that all-party move might be facilitated without unnecessary controversy or delay when the matter is debated on Monday?

Mr. Newton: I take that to be a public representation in advance of next week to my right hon. Friend the Secretary of State for National Heritage. I shall ensure that she hears of it. I must acknowledge that I have not yet had time to study the material to which the hon. Gentleman refers.

Mr. Bernard Jenkin (Colchester, North): May I reiterate the requests of the hon. Member for Birmingham, Perry Barr (Mr. Rooker) and my hon. Friend the Member for Gosport (Mr. Viggers) for a debate on the sale of the married quarters estate? Would that not give us the opportunity to provide the assurances that people need in view of the anxieties that some in the House have whipped up unnecessarily in recent days? Would it not also expose the Opposition for what they are: a party that seeks a review of the policy but does not have a proper response to it?

Mr. Newton: That is more impressive support for the Government's position. My hon. Friend is my constituency neighbour and I know that he represents the important garrison town of Colchester.

Mr. Paul Flynn (Newport, West): When may we have a debate about ferry safety and particularly the dangers of the so-called roll-on/roll-over ferries? Is it not a disgrace that three quarters of our ferries are still as dangerous as the Herald of Free Enterprise and the Estonia? In that debate we could congratulate Norway, which has made safety improvements to all of its ferries. Why must we wait until 2002 before British ferries are protected in the same way?

Mr. Newton: Perhaps the hon. Gentleman might like to put that question to my right hon. Friend the Secretary of State for Transport when he is here on Monday 8 July.

Point of Order

3.54 pm

Mr. Michael Connarty (Falkirk, East): On a point of order, Madam Speaker. On 11 June I was wrongly named by the hon. Member for Gravesham (Mr. Arnold) in an early-day motion. I had to wait two or three days until it was eventually amended. In the meantime, the hon. Gentleman had persuaded 30 Conservative Members, including seven knights of the realm, to sign his EDM.

I am deeply concerned to find 45 such motions on the Order Paper attacking individual Members—representing 5 per cent. of all EDMs this Session.

Would you, Madam Speaker, use your good offices to persuade hon. Members to stop these personal attacks? And if they make mischief, as the hon. Member for Gravesham does, would you ask them to name the correct Member and have the courtesy to write a letter of apology? I have yet to receive one from the hon. Gentleman for his misdeed.

Mr. Jacques Arnold (Gravesham): Further to that point of order, Madam Speaker. This refers to early-day motion 981, which includes a quotation from the hon. Member for Falkirk, West (Mr. Canavan) in which he condemns the leader of his party, in the context of education policy, as saying, "Do as I say, not as I do."

I am at fault in that I thought the hon. Gentleman concerned represented Falkirk, East. Within two days it was pointed out to me that I actually meant the hon. Member for Falkirk, West; so I went to the Table Office and asked for the constituency to be corrected in the EDM. I also orally apologised to the hon. Member for Falkirk, East (Mr. Connarty) in—of all places—the Members' Cloakroom.

Madam Speaker: The least I expect of all Members of this House when they go into print, especially on the Order Paper, is that they do their homework first and know which Member they are attacking. In other words, they must get it right.

Secondly, I have a copy of the early-day motion in front of me. It was signed by the hon. Member for Gravesham (Mr. Arnold) and 29 other Members. All I can say about those other Members is that they put their signature to the motion without knowing what they were signing. I deprecate that.

I also deprecate the personal attacks in these early-day motions and across the Floor of the House. Increasingly as we move towards a general election we are concerned with the policies of the parties in this House, not with individual Members or personal attacks on them.

I appeal to the House: when Members go into print, they should do their homework and get it right; and let us stop these personal attacks which I see daily on the Order Paper and which I deprecate.

ESTIMATES DAY

[2ND ALLOTTED DAY, 2ND PART]

ESTIMATES, 1996-97

Class II, Vote 1

The Commonwealth

[*Relevant documents: The first Report of the Foreign Affairs Committee, Session 1995–96, on the future role of the Commonwealth (House of Commons Paper No. 45-I), the Government's Observations thereon (Cm. 3303) and the Government's Expenditure Plans 1996-97 to 1998-99—Foreign and Commonwealth Office including Overseas Development Administration (Cm. 3203).*]

Motion made, and Question proposed,

That a sum not exceeding £343,886,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office on its salaries, building and other accommodation services, and administration and those of HM Diplomatic Service, official information services, sundry services and loans and payments in connection with catering services.—[*Dr. Liam Fox.*]

3.56 pm

Mr. David Howell (Guildford): The Select Committee on Foreign Affairs welcomes the opportunity of a brief debate on its recent report on the role of the Commonwealth. I should explain right away that we did not alight randomly on this subject for a report; we responded to what we felt was a strong steer, in the sense that opinion about the Commonwealth in this country may be undergoing a considerable change. There suddenly seems to be a new awareness of the value of the club of Commonwealth nations, vastly varied though their cultures and geography may be. They are spread around the entire planet.

There may be all sorts of reasons for that new awareness. The old issue that bedevilled all Commonwealth gatherings from the 1960s to the 1980s—the hated apartheid system in South Africa—has vanished, thank goodness. In part, the new interest may be due to the fact that several countries have joined or tried to join the Commonwealth in recent times. South Africa, of course, is a recent re-entrant, and Mozambique and Cameroon have also arrived in the team. A club that is growing and which people want to join cannot be entirely moribund.

Our studies seemed to suggest, however, that there was a harder and deeper reason for the British to think again about their Commonwealth connections. Contrary to many political utterances, sometimes of a rather pessimistic nature, and to the slant of a good deal of British foreign policy, Britain's trade and capital investment is noticeably tilting away exclusively from Europe and towards Asia, which happens to include several of the major Commonwealth countries, and Latin America.

It is the realisation that there is a shift in the centre of gravity of the entire planet, in political and economic terms, making areas of the world which we might have felt we had cut our ties with and were not important, suddenly much more important to the present and the future, which makes us look at the Commonwealth through an entirely different lens.

Just to give hon. Members a flavour—I promise not to produce too many statistics, although there are some telling ones in the report—in 1994, 44 per cent. of Britain's total overseas earnings, visible and invisible, came from EU countries. That is obviously a significant chunk, so there could be no question of ignoring that. But during the past decade, some 80 per cent. of all British overseas investment, direct and portfolio, or so the estimates suggest, has gone outside Europe—about 40 per cent. to the United States and at least 20 per cent. to areas of the Commonwealth.

If one looks at the destination of our investment, some of which is recorded as going into Europe but which goes through the Netherlands and out again, the figures are even more striking. It could be—we have this figure in our report—that almost 30 per cent. of all our overseas investment is in the Commonwealth compared with about 13.9 per cent. in the EU. Those are our assets, our interests, and it is in our national interest to promote and strengthen those assets.

No one—I make this point clearly—or no one with a business or political nose or any sense of history is, I hope, arguing that Britain should disengage from Europe, although one hears the odd voice on those lines. Certainly, those figures do not lead to that conclusion. What they do is to cause us to question whether Europe, and western Europe in particular, is Britain's only interest, as some of our policies sometimes seem to suggest. National economic interest, in terms of looking after our assets and opening up new markets, now seems to pull us towards other regions as well.

It is arguable that Europe's sagging significance in the overall pattern of British business activity, or the relative reduction in its significance, is a reflection of the lower growth in Europe in recent years in contrast with the fact that there never was a recession in Asia; the growth simply continued right through the European and Atlantic recession years and produced an amazing recession-free performance.

But there are even longer-term influences at work than just those short-term movements in the business cycle. For instance, one of the brightest spots in Britain's strengthening economic relations in terms of capital flows, investment and expanded trade, visible and invisible, has been Australia. The media say that Australia is pulling away from the Commonwealth because it is thinking about a President rather than having Her Majesty the Queen as its Head of State—it has its reasons for that—but that has nothing to do with the reality.

The reality is that we are now closer to Australia, and to New Zealand as well—two of the world's most dynamic modern economies, not just dependent on agricultural products— than ever we were at the height of empire or in the days when the Commonwealth was called the British Commonwealth.

Another huge new market is emerging inside India. Admittedly, it is a vast area of high-income activity surrounded by a sea of poverty, but the numbers are gigantic. Another Commonwealth country that is becoming a major factor in the entire world economic system is Malaysia, despite our quarrels from time to time with that country's outspoken leader.

When I think about the G7 conference, which is just about to happen, it seems increasingly absurd that the emerging markets, as we call them, of three great countries, which will be heavyweights in the world economic order—India, China, which is obviously not in the Commonwealth, and Brazil, which is also not in the Commonwealth—are not included in the G7 summit. The days of the G7 summit complex may be coming to an end.

That is the background against which our report reaches its central and explicit conclusion that the Commonwealth is acquiring a new significance in a rapidly transforming world, and that British policy should bring that major change to the forefront of its thinking. Our report concluded that the Commonwealth of yesterday, still quite strong in British perceptions and in some quarters, has given way to something quite new and not yet fully appreciated.

In our report, we say that, far from being a "club" of countries all too ready to criticise and make demands on the former imperial power—that is us—the Commonwealth is rapidly metamorphosing into a network with quite different interests and ambitions. In particular, we pointed to the gigantic sub-governmental network of links that brings together the group of nations—there are now 53 of them—in a way that simply does not exist in any other corner of the earth. There are the regional blocs. We know all about Europe. There is the UN. We know all about that. But there is nothing to compare with this extraordinary network of intimacy that the Commonwealth today turns out to be.

In our inquiry, we encountered two disappointments. We were struck, first, by the rather cautious and downbeat initial memorandum from the Foreign and Commonwealth Office. Although it was very helpful and provided many papers, its initial memorandum was a bit faint, although we were happy to note that the evidence that Ministers subsequently gave the Committee sounded a much more positive note. Secondly, we were struck by the absolute disinterest and incomprehension about these matters in the daily newspapers. The so-called "heavies" seemed to have lost the capacity to handle and evaluate new concepts and ideas of this kind. They have squeezed out the wiser and more reflective writers in favour of the trivia masters and the superficial political commentators.

We were disappointed but not surprised that the British dailies paid no attention to the recent report. We were also pleased that—by strong contrast—some of the weeklies and the excellent BBC World Service understood the importance of what we were trying to say and supported strongly the thought that the Commonwealth matters increasingly. That was very welcome, but the report's conclusions lead us to more than mere thoughts. We recommended something much stronger: a whole new strategy to reinforce bilateral Commonwealth ties, to sustain the overall Commonwealth organisation and to deploy the advantages that Commonwealth membership gives us far more systematically, both in diplomatic endeavours and in the furtherance of Britain's worldwide commercial interests.

To anyone who suggested that we propose some great new bureaucratic layer in the Commonwealth, I would reply that that is not what we say at all in the report. We do not want to impose additional administrative structures on an international network, which has emerged of its own accord and which is emerging even further while we speak. In our view, the secretariat does a good job and makes a significant contribution, but we are talking about the bilateral ties and the need within our own national administration, and certainly within the Foreign and Commonwealth Office, for minds to be more focused than in the past on our Commonwealth role and the potential that it gives us—this is quite a cynical calculation—as a trading nation to develop our own interests.

In hard, practical terms, that means, as we recommend, greater readiness to speak up for the interests of our Commonwealth friends in the various forums of the world to which Britain belongs. We are a great "belonger" and club member. As Baroness Chalker, Minister for Overseas Development, reminded our Committee as a witness, we are the one country of the 15 in the Union that is also one of the 53, which gives us a leverage and a position that should be used more effectively.

Similarly, we expect our fellow Commonwealth members to speak up for us more effectively in the other great forums of the world that are increasingly significant in determining our future and prosperity—the Asia-Pacific economic forum structure and the Association of South-East Asian Nations. More focus also means giving renewed Government attention to the educational and cultural interchanges that used to characterise the Commonwealth and which must not be allowed to languish. In some instances, we were concerned that they were tending to languish. On the contrary, they should be fostered more energetically than ever.

In our report, we argue that that should apply particularly to instruments of promotion of Britain's interests and of diplomacy such as the BBC World Service, the British Council and the diplomatic wing of the Foreign Office itself. We are glad to note that—as a result, I hope, of some raising of voices in the Foreign Affairs Committee, and other pressures—the threat to the British Council's budget has been eased somewhat; but it still seems that there has been a failure to convey to the policy makers just how much value and resource can be added to Britain's basic economic strength through the effective use of those agencies. As our report points out, at a time when they should be expanding, they are being cut back to a dismal extent.

According to evidence given to the Committee but not included in the report, the National Audit Office estimates that every pound spent by the diplomatic wing on reinforcing its posts in the emerging markets—including, as we discovered, many in Commonwealth countries—produces £80 in extra earnings for Britain. The Treasury's response has been to slice tens of millions of pounds off the diplomatic budget, and therefore billions off British overseas earnings and British potential. We are forced to conclude that any more of what the geniuses in the Treasury have called economies and savings will make life extremely expensive.

Rev. Martin Smyth (Belfast, South): I recently visited Japan with the Select Committee on Health, where I had first-hand evidence of the role played by the British Council, along with the embassy, in promoting British interests. Unfortunately, we received the same message: that the Treasury did not fully appreciate the importance of the investment and the responsibilities involved. I agree with what the right hon. Gentleman has said about our role in the Commonwealth as a whole.

Mr. Howell: What the hon. Gentleman has said confirms our impressions, although, as I said, the pressures on the British Council's budget have been eased, as a result—I hope that this will not embarrass my right hon. Friend the Minister—of some doughty fighting in the Foreign Office for the modern interests of this country, and for updating people's out-of-date views about what really matters when it comes to protecting and promoting those interests. The new focus for which we have called means recognising, in shaping our industrial and trade policies, that the interests and opportunities for British business now lie as much in the emerging markets—many, as I have said, in Commonwealth countries—as in the European markets that are geographically nearer to home.

Although our Committee divided into small groups, it covered a good deal of ground throughout the planet, visiting Commonwealth countries. A comment that we heard repeatedly was that Britain's Commonwealth connections, and the integration in a global network of communications and friendships that goes with them, were the envy of our trading competitors. Those competitors cannot understand why we, the British, have not exploited them to greater advantage. Here we are, at the centre of a gigantic system of world communications in which either Mandarin Chinese or English is being learnt—those will be the only languages left that matter to the entire commercial planetary business—yet we do not seem to have realised the full potential that lies before us, and the full possibilities of what could be a glittering global asset: the Commonwealth network. That network is ready made and inherited—perhaps through luck rather than good judgment, but it is there for us to use.

Perhaps it was understandable that, for a few decades after the end of empire, there would be a period of trauma and uncomfortable adjustment, and that people would feel that perhaps the Commonwealth was all to do with a better yesterday. However, it should never be forgotten that the unwinding of the British empire was, for the most part, an amazingly peaceful and constructive affair, despite one or two tragedies.

That era is over and so is its successor phase of decolonisation. In the closing words of our report, we state:

> "A new global pattern opens out in which the competition to maintain, let alone advance, living standards will be more intense than ever."

That is especially true of countries in Europe, as we are. The report continues:

> "In this new situation the United Kingdom has both friends and opportunities."

Who are those friends? They turn out to be our old friends who are also our new friends. They should be embraced, so that the British interest can be promoted in a firm and friendly way and so that the network of the Commonwealth, which is one of the most remarkable developments of the modern age, can be used to the benefit of all who live in it and, indeed, of all mankind.

4.15 pm

Mr. Peter Shore (Bethnal Green and Stepney): Our terms of reference in the study on the future role of the Commonwealth were extremely wide and included the implications for United Kingdom foreign policy. The study encompasses an enormous range of matters—economic, cultural, educational, parliamentary and political—and the unique web of relationships that we have. There are 53 countries, including ourselves, in the Commonwealth, amounting to one quarter of mankind. It is an enormous connection.

My right hon. Friend the Member for Guildford (Mr. Howell), the Chairman of the Foreign Affairs Committee, spoke effectively about our economic and trading relationships with the Commonwealth. They require—and will obtain—a new emphasis because, as my right hon. Friend pointed out, many of our Commonwealth partners are now engaged in the process of economic development, of a most spectacular kind in some cases. Malaysia has been mentioned. If, as we all hope, the Indian sub-continent, especially India itself, takes off, it will make a profound difference to the world economy. We have a strong interest in being part of that.

The right hon. Gentleman also very properly referred to our cultural and educational links with Commonwealth countries—which are of enormous benefit to us and, I hope, equally to them—in terms of our continuing understanding and our continuing influence on those who become part of the elite in the Commonwealth.

It is not possible to overemphasise the importance of the English language in the network of relationships. It is one of the two or three factors that continue to hold the Commonwealth together in a truly remarkable way. Whenever I visit the Indian sub-continent in particular—and this is almost 50 years after the ending of the Raj—I am able to converse in English not just with high officials, but with many people in quite humble spheres of life. That is impossible in any other part of the world except, increasingly, in the European Union, where English is becoming the lingua franca, if I can use that odd expression in this context. That is enormously helpful to us.

As the report is so wide ranging and as the right hon. Member for Guildford has spoken about trade, investment, cultural links, the World Service and the British Council, which play an important part, I shall concentrate on a subject of very great importance in our report, which reflects another of the major new developments in the Commonwealth.

Those who follow Commonwealth history will know that at the Harare Commonwealth Heads of Government meeting in 1991, the Commonwealth gave itself a new direction. It issued the following declaration:

> "We pledge the Commonwealth and our countries to work with renewed vigour, concentrating especially in the following areas: the protection and promotion of the fundamental political values of the Commonwealth; democracy, democratic processes and institutions which reflect national circumstances, the rule of law, the independence of the judiciary, just and honest Government . . . human rights, including equal rights and opportunities for all citizens regardless of race, colour, creed or political belief."

That declaration was unanimous and in one sentence it committed the Commonwealth and its 50-odd member states to democratic government and human rights.

In the period between the Commonwealth Heads of Government meeting in Harare and that in Auckland, New Zealand, a few months ago, important and beneficial changes have occurred in the Governments of many Commonwealth countries. Malawi at last got rid of Dr. Hastings Banda; Zambia ended its long experience of one-party, one-President rule, as did Tanzania; and important progress continues to be made in Uganda.

Commonwealth election observers and Commonwealth Parliamentary Association delegations have been sent to a number of Commonwealth countries to witness general elections and report on their fairness or otherwise.

At this point, I pay tribute to the Commonwealth Secretariat. It is a small organisation, yet it is the Commonwealth's only continuing collective permanent organisation. It does a remarkably good job in sponsoring Commonwealth observer missions, advising on democratic practices in other Commonwealth countries as well as administering technical and aid programmes.

The House might be interested in the following figures, which I found shocking. In 1994-95, the total cost of the Commonwealth Secretariat—the Commonwealth's only continuing central organisation—including not only the secretariat, but the fund for technical co-operation, the science council and the youth programme, was £33 million. The British contribution was 30 per cent., or £10 million. The secretariat itself accounted for just under £9 million.

Perhaps I should remind the House that we pay a net contribution of £2,500 million a year for our membership of the European Union. We might reflect upon that figure in comparison with our ludicrously inadequate contribution to the Commonwealth organisation and the Commonwealth Secretariat.

Inevitably, the Foreign and Commonwealth Office distributes its resources similarly. We reported:

"In numerical terms, out of a total of about 3,500 United Kingdom based staff, 87 staff within the FCO deal with Commonwealth issues, 80 in geographical and policy departments and seven in the Commonwealth Co-ordination Department."

That is not exactly a large investment of highly trained intellectual and diplomatic resources.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my right hon. Friend aware that, when I raised with the Foreign Office and Baroness Chalker my worry about the fact that, as European institutions become ever larger in Africa, the British contribution becomes smaller, I was told that I should not worry because, of course, it is all very nice and polite, and on the departure of the British assistant head of delegation—I was particularly talking about Lesotho—there would be an extra appointment of an agricultural adviser, who would work from the EU offices? Is my right hon. Friend at one with me in not being absolutely convinced that that is quite the same thing?

Mr. Shore: My hon. Friend illustrates the minuscule resources that, in recent years at any rate, we have been prepared to deploy.

I have emphasised the Harare declaration and the commitment to the promotion of democracy and human rights throughout Commonwealth countries. Last year, at the Heads of Government meeting in Auckland, the Commonwealth took major new steps to promote democracy and human rights, which were extremely significant and which have been quite inadequately reported.

First, the Commonwealth agreed to enhance the capacity of its secretariat to provide member Governments with advice, training and other forms of technical assistance in promoting the Commonwealth's fundamental political values, especially the democratic process and procedure. Such enhancement of the Commonwealth Secretariat implies a certain strengthening, an investment, in the Commonwealth Secretariat here in Marlborough house.

Secondly, and very importantly, where the CHOGM—as it was called in Auckland—perceived that a member country was

"clearly in violation of the Harare declaration and particularly in the event of an unconstitutional overthrow of a democratically elected Government",

it committed itself to take measures to encourage the restoration of democracy. Those measures range from the public expression of collective disapproval to a number of bilateral and multilateral sanctions by other Commonwealth countries.

Among the measures, of course, is suspension of Commonwealth membership—public denial of the rights of a Commonwealth member that has infringed the Harare declaration to take part in and attend other Commonwealth meetings. If the offending Government persist in violating the principles of the Harare declaration for more than two years, I think that there is the threat of complete expulsion. That measure is important and I shall illustrate it in connection with Nigeria, which is feeling the heat of ostracism by the Commonwealth.

Thirdly, the New Zealand Heads of Government conference agreed to establish the so-called Millbrook Commonwealth action programme, which is a committee consisting of Foreign Ministers from eight Commonwealth countries—I think that the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Richmond and Barnes (Mr. Hanley), may be our representative on it—plus the Secretary-General of the Commonwealth, to provide an implementing mechanism. So, not content with public meetings and yearly or two-yearly condemnations, an on-going committee of pretty senior members of the Commonwealth was set up to look at the carrying out of any recommendations made by the Heads of Government, continuing the pressure on those who have fallen short of the Commonwealth's standards of democracy and human rights.

Three Commonwealth countries were selected at Auckland for particular attention: Sierra Leone, Gambia and Nigeria, whose military regime was suspended from membership. Considerable pressure has been put on the Nigerian Government since then, but I am sorry that, only two days ago, the threat of immediate Commonwealth sanctions was dropped because of disagreement—I think—among the Millbrook group. I should be grateful to hear more from the Minister of State when he replies to the debate. It was disappointing that immediate action was not taken, because Nigeria's response so far has been inadequate.

The sanction package agreed at Auckland includes a ban on weapon exports to Nigeria, visa restrictions on members of the regime and their families, an end to sporting links and the withdrawal of education facilities. I understand that Britain and other EU countries operate most of those sanctions against Nigeria, but their impact would be greatly reinforced if the Commonwealth as a whole agreed to collective action. Canada will go ahead in any case and impose sanctions, and New Zealand is expected to follow suit. It is good to know—and I should be grateful if the Minister confirmed this—that sanctions will be back on the agenda at the Foreign Ministers'

[Mr. Shore]

meeting in September. If Nigeria has not made significant improvements in its human rights record and in its progress towards the restoration of democracy, I hope that sanctions will be imposed.

In our report, we urged the Government to take the lead in promoting democracy in the Commonwealth. We said that we would like to see a strengthening of the Harare declaration and, in particular, the specific recognition that real democracy entails the right to organise opposition parties and to remove existing Governments via a free and fair election. It would be helpful to have that on the record. With that in mind, I was disappointed that the Secretary of State's response to the report stated:

"The Government is not persuaded that an attempt at this stage to amplify the Harare declaration, through incorporating more precise definitions of democracy, would be either acceptable to other Commonwealth governments or achievable."

I hope that that is only an interim response.

Mr. Donald Anderson (Swansea, East): Does my right hon. Friend agree that a real test of whether there is sustainable and substantial progress towards democracy—the existence of an opposition party—would be failed by a country such as Uganda? However, the current Government of that country are massively more credible and more democratic than their predecessors, and Uganda is clearly on the route to democracy, although without an opposition party.

Mr. Shore: I agree with my hon. Friend that the direction and pace of improvement away from non-democratic forms of government to properly democratic ones is important. It would be helpful to have a standard that could be accepted by all countries as to what it means to be a democracy and to safeguard human rights. Britain is hosting the next Heads of Government meeting in 1997 in Edinburgh, and I hope very much that we shall make the extension of democracy and human rights the very centrepiece of the meeting.

There are clear links between us in the Commonwealth. There are economic, trade and investment links, and there are the links that come from our shared historical experience. There are also educational and cultural links, as well as the link through the frequent use of the English language. If we could add to those links another common bond—that all of us subscribe to democracy in politics and to human rights—it would be an added reinforcement to all that the Commonwealth stands for and would help to link it together.

4.33 pm

Sir Colin Shepherd (Hereford): Many thanks, Madam Deputy Speaker, for calling me so early in the debate. I thank the Chairman of the Select Committee on Foreign Affairs, my right hon. Friend the Member for Guildford (Mr. Howell), for selecting this topic for examination by his Committee. I congratulate him and all the members of his Committee on the success of the work that they have done on behalf, I believe, of the Commonwealth, not only of the United Kingdom in the Commonwealth.

My right hon. Friend's work has accompanied me on a number of voyages to different parts of the Commonwealth. It has become almost a standard work of definition for the Commonwealth because of its careful exploration of the various networks involved in it. As such, it will be a valuable work of reference for a number of years not just because it may point not only to how the United Kingdom sees the Commonwealth but how the Commonwealth sees itself. It is particularly valuable for that.

I shall restrain myself to two specific dimensions of the report. The first is the strength of affinity that I find when I visit the Commonwealth on parliamentary business. That strength of affinity makes me embarrassed or sometimes more than embarrassed at the lack of awareness of the Commonwealth in Britain. The report will be helpful in heightening that awareness.

The report refers to the need to sustain the Commonwealth Institute because for 100 and some years it has been the mechanism by which we have sought to increase awareness of the Commonwealth and its predecessors within our own country. The House will be aware of the traumas that the Commonwealth Institute has gone through in the past four years or thereabouts.

I welcome the commitment to the Commonwealth Institute in the Government's response, but I should like to see a stronger commitment. I should like the Government fairly and firmly to affirm their belief in the need to press our public to gain a better understanding of this unique organisation, which is so much part of the fabric of our life and of what we take for granted.

It is interesting to note that the undercurrents are there. We have recently said farewell to the Canadian high commissioner Royce Frith, who has returned to Canada. He had a unique success in Britain in arranging, possibly accidentally, for every fishing vessel to be bathed in the Canadian flag and still not upsetting his host Government. Underlying that was the unspoken reflection among our public that the Commonwealth was important to us, even though we take it for granted and do not really understand how it affects us.

I want to see the Commonwealth Institute enabled to do its work. I have to point out to the House at this time that I have a slight vested interest in that I am a governor of the institute. I see a former governor sitting across the House and I am certain that he shares my views. Let us do all that we can to increase awareness among our people, using whatever mechanism is possible and bearing in mind the remarks of my right hon. Friend the Member for Guildford when he introduced the report that because we do not fight one another we do not get much press coverage. There is an immense amount to be done in that respect.

The second aspect about which I wish to speak, is the reference which pops up throughout the report to the Commonwealth Parliamentary Association. With a United Kingdom hat on, I welcome the reaffirmation of Her Majesty's Government's continued support for the work of the association. It is important, without a doubt. Wearing the international chairman's hat that I am currently privileged to wear, I wish to say how important it is to all 134 branches of the CPA that Her Majesty's Government so strongly affirm the work of our association.

I was delighted that the Committee not only took evidence but explored it and reported so positively on the work of the CPA. As has been said, we were singled out in the Harare declaration as having the task of spreading the

message of parliamentary democracy. Especially in the years since 1981—though before then as well—we have set out to discharge those obligations. We have enormously expanded the work that has been directed to that. We have increased the number of seminars that we run.

We responded in advance to the report's admonition to do more to encourage countries seeking to establish parliamentary democracy. I must mention the two missions that we sent to South Africa before 1994. The first, under my predecessor, in 1991 was helpful in creating awareness of the support that was available. It was reinforced by the mission that I led in November 1993 when the transitional constitution was being set up. It was useful in providing the reassurance that there was a great network of assistance waiting in the wings to help in any way possible. Immediately after the 1994 elections, the Commonwealth was delighted to receive South Africa back into membership.

We have run into difficulties in that the more that we have achieved, the more we have been asked to do. We are almost inundated with requests to do what we say that we can do. However, we are a small and lean organisation, not a rich one. We are led by our able secretary general, Arthur Donohue, the former Speaker of the provincial assembly of Nova Scotia. He has a team of 12 people over the road at Millbank. They work hard and effectively but they are increasingly stretched and the question of financial resources arises.

We are exploring ways to increase our gearing. We are halfway through a programme of parliamentary workshops for southern African parliamentarians. That is a new development that we have been exploring. It is a combined exercise between the CPA and the Overseas Development Administration, operating through its British development division in southern Africa. We have put together a programme of five workshops aimed at bringing into the net the new parliamentarians of South Africa and its provinces and putting them alongside the parliamentarians of the front-line countries. We are three down with two to play. Co-operation is working well with the BDDSA.

We have been working with the Commonwealth secretariat to develop programmes for training officials. That is another important dimension of the southern Africa exercise. While we as parliamentarians have been bending our minds to the development of the parliamentary skills of southern Africans, it is vital to provide the back-up of parliamentary clerk or secretaryship. It has been lacking for the want of means to build it up. The House has a distinct part to play in that, both through the CPA and through the House of Commons Overseas Office. We need to find more ways to act in cahoots with other governmental agencies to expand our work. I would be grateful if my right hon. Friend the Minister would heed that. We need ministerial intervention to smooth the path and open doors to enable us to develop our activities.

I thank the Commonwealth parliamentarians who have participated in the parliamentary workshops. I have called in resource people from Malaysia, Mauritius, Singapore, the Bahamas, Grenada, Australia, Zimbabwe, Botswana and Kenya. They have all dropped what they were doing and given me a week of their time in southern Africa to progress the work. I will call on a lot more people before I am finished. As the Commonwealth expands, as I believe it will continue to do because of its activities, it becomes increasingly important to sustain that network, which is dependent on the ability to communicate with one another.

I agree with the right hon. Member for Bethnal Green and Stepney (Mr. Shore) that the English language is vital. I recently visited Namibia and was delighted to find how much the English language has developed there. That means that it feels very much part of the Commonwealth. Mozambique is still weak in the English language and must be given all possible help to make its membership meaningful and relevant beyond the few. We must make certain that Cameroon is supported so that it, too, can become part of the family and can communicate without interpreters. Participation and direct conversation are important.

We must all lend a hand to new countries as they are embraced by the Commonwealth. I liken that process to the laying on of hands when a bishop is enthroned. We should all come together when new members join to give them our common strength so that they realise the strength and power of the organisation that they have joined and prosper from it accordingly.

4.47 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): It is a pleasure to follow the chairman of the Commonwealth Parliamentary Association, the hon. Member for Hereford (Sir C. Shepherd). I pay tribute to the work that he and his organisation do, which is of immense value around the world. I apologise to the right hon. Member for Guildford (Mr. Howell) who opened the debate. The debate came on early and I was trapped elsewhere on the premises, so I missed his speech. I congratulate him on the tone and constructive content of the Select Committee report. My party has no member on the Committee and so can claim no part in its authorship, but it is worth while.

I agree that the Commonwealth should not define its role too narrowly. It should be willing to be a little more adventurous in dealing with some of the trouble spots among its members. When Her Majesty the Queen opened the Auckland conference last year, she neatly summed up our feelings when she said that she wanted the Commonwealth to be

"a significant force for good in a troubled word"

When we consider some of the problems in the Commonwealth—such as in Kashmir and Sri Lanka and the disputed elections in Zanzibar—we see that there is plenty of scope for that force for good to use its influence.

Like others, I should like to refer to a number of developments in the Commonwealth. I agree with what the right hon. Member for Bethnal Green and Stepney (Mr. Shore) said about the situation in Nigeria, which has been a difficult test for the Commonwealth. Senior world statesmen like Pierre Trudeau, Malcolm Fraser, Helmut Schmidt and Sir Shridath Ramphal have all been taking a much harder line than the present member Governments of the Commonwealth. My Liberal colleagues in Canada are anxious to introduce a trade embargo now, without waiting for further developments. Those factors remind us that the secretariat is, by definition, limited in its scope. The Commonwealth is not an association of Parliaments or nations; it is an association of Governments—that limits its role and function. We therefore have to be sympathetic to the secretariat all the time as it has to deal with its own members.

[Sir David Steel]

I echo the sentiments of the right hon. Member for Bethnal Green and Stepney and hope that the unit which is monitoring the progress, or lack of it, in Nigeria's return to true democracy, will be fierce in its activities. The trouble with unilateral trade sanctions, as have been taken by my friends in Canada, is that unless collective action is taken, one nation's trade embargo becomes another's business opportunity—that is a sad fact of life. I fear that the Government in Nigeria will simply laugh all the way to the next execution unless the Commonwealth takes concerted action in future to return Nigeria to the straight and narrow.

There are perhaps less obvious derogations from the demands for good governance in recent activities in other countries. In Zambia, the constitution has been amended in an artificial manner to rule out the possibility of ex-President Kenneth Kaunda standing again in the elections. That sort of constitutional manipulation should be condemned by all true believers in the Commonwealth principles. From discussions that I have had with political parties in Ghana, that country appears to be heading to elections conducted by an election commission that is not truly independent of the Government.

I agree with what the chairman of the CPA was saying; I think that our role in promoting democracy, which was highlighted in the report and the Government's reaction to the report, is perhaps the single most relevant issue for us to tackle. The right hon. Member for Bethnal Green and Stepney was one of the team in Bangladesh during the recent election. He will know that I was there just before the election as part of a team from the International Institute for Democracy and Electoral Assistance—an excellent new international organisation. I only wish that Her Majesty's Government could find the pennies to join and support it instead of sitting on the sidelines. That team, which was there before the monitors arrived and before the election started, had a crucial role to play in ensuring that on two issues—I will not go into the details here—the election preparations were correct so that the monitors could survey the election process. So often in the past we have sent monitors to observe elections which are flawed before they start. In Bangladesh, that was avoided, partly thanks to the presence of the team from the International Institute for Democracy and Electoral Assistance.

Although I am glad that Her Majesty is head of the Commonwealth, we in Britain should be careful that we do not say to other potential democracies that the Westminster model is automatically the ideal one—that is not necessarily so. It was interesting to find that in Bangladesh the people have resolved their problems by what I believe to be a unique mechanism. They created an interim Government, during whose office an election was held, presided over by the former Chief Justice. That is not something that one finds in the canons of Westminster or in any other constitution-making processes in the Commonwealth, but it is something that Bangladesh has evolved for itself and that has so far worked—touch wood.

Reference has been made to the disappearance of the Banda regime, with all its human rights atrocities, in Malawi. That was achieved through a procedure that was not particularly approved of, either here or by the Commonwealth. It was achieved through a referendum on whether there should be multi-party democracy. We always believed that it was obvious that there should be, so we saw no reason for a referendum, but it provided the mechanism in the particular circumstances in Malawi; it was successful and got the Government off the hook. People voted in large numbers. It led to an election and to the victory of President Muluzi, whose first action was to shut the appalling prisons in which people such as Orton Chirwa had died—I commend the President for that.

We should not be too high-minded and believe that we in this Chamber have all the solutions that we can export to other countries, which can devise their own solutions to resolve their difficulties. As others have said, the key is that countries should be seen to be moving in the right direction. As today's report shows, Gambia and Sierra Leone are perhaps moving in the right direction and—as the hon. Member for Swansea, East (Mr. Anderson) said—Uganda obviously is, but they have not reached the standards of multi-party democracy that we would wish to see.

As we are talking about countries moving in the right direction, I should like to bring to the attention of the House the fact that one of the Commonwealth countries with which we have the closest connections, Kenya, appears to be moving in the wrong direction. I visited Kenya with the hon. Member for Stretford (Mr. Lloyd) a few months ago—indeed, I am a regular visitor to the country of my former residence. It is worrying that, after the elections in 1992, instead of progressing towards the development of multi-party democracy, Kenya has regressed.

I agree with those who have said that we should be looking towards a series of standards by which we can judge whether countries are moving forwards or backwards. If we were to do so, there should be five criteria on which to judge whether or not a country is an acceptable democracy.

The first criterion is whether the electoral commission is independent. It is self-evident that if the electoral commission is simply a body appointed by a Government and, as in Kenya, draws up constituencies to suit the convenience of the Government party, the election is flawed before it starts. The second principle involves the freedom of political parties and the rights of assembly. It is intolerable that, in Kenya, even Members of Parliament are required to have a licence before they can hold a public meeting. The third obvious standard for democracy is that the judiciary should be independent, which is not the case in Kenya. If the judiciary can be lent on, or can be appointed or dismissed at the Government's will, the last resort of appeal, which is essential in electoral matters, does not exist.

The fourth, perhaps obvious, principle is the transparency and accountability of Government, without which corruption can thrive and, as in the case of Kenya's most recent election, public funds can be used to help fund the election campaign of the ruling party. Accountability and transparency are essential. The fifth criterion is the freedom of the press and freedom of access, particularly to the broadcasting media.

If we establish criteria along those lines, which are pretty general and unspecific, we can measure whether people score five out of five, one out of five or, as in Kenya's case, nought out of five. What shall we do as the Kenyan elections approach—presumably they will be held next year? Do we say that it has a multi-party system with

a series of, admittedly, chaotic and divided opposition parties? Will Kenya go through the process of a multi-party election? Shall we send Commonwealth observers and other observers to an election which I believe is fatally flawed? I hope not: we must dig in our heels and warn well in advance that the country is not moving towards the sort of multi-party democracy that is acceptable by international standards, so it cannot expect a rubber-stamp endorsement or mechanisms to be brought into play to ensure that people are putting the right bits of paper in the right ballot boxes. I feel strongly about that subject, but I am sorry to have taken so much of the House's time on it.

The Foreign Affairs Select Committee report rightly refers to the BBC World Service as the spearhead of policy and the Committee found the official approach to the World Service, and the British Council, frankly incredible. Since the report came out, we have heard about the proposed reorganisation of the BBC. I wish to express strong anxieties about the fact that the BBC overseas radio service will come under BBC radio generally, which in turn will come under television generally. The distinctive service from Bush house will simply be enveloped in the great bureaucracy of the BBC. That will be highly dangerous because the role and influence of the World Service will be diminished.

Commonwealth countries account for more than 60 per cent. of the World Service's global audience. That is 89 million listeners. I shall give some examples of the audience size for foreign language broadcasts: for Hindi, the audience size is 20.4 million; for Urdu, 19.8 million; and for Hausa, 12.1 million. By countries, the audience penetration across the language barrier is also high: in Kenya, the audience is 38.3 per cent.; in Nigeria, 37.5 per cent.; and in Pakistan, 21.9 per cent. By any standards, the World Service is a powerful influence for good in the world and it is absurd that we allow new management arrangements in the BBC to threaten its independence and effectiveness. I hope that the Government will have something to say on the matter.

We have not had a debate on Hong Kong for some time and it is a very important Commonwealth country. Hong Kong, as distinct from its larger neighbour, believes in the rule of law, the accountability of Government and the freedom from corruption of officials that so bedevils China. I wish to make a specific criticism of the Government. Earlier this year, the Chinese Government appointed the committee that will oversee the transition. We all knew that the Chinese Government were opposed to the democratic Legislative Council, but they left off that committee any member of the Democratic party, which was clearly the most successful party in the internal Hong Kong elections. Our Foreign Secretary, when asked about that, said that it was "a pity". A pity? It is an outrage that that was allowed to happen.

We will not get anywhere with the mainland Government of China if we take such a weak stance towards them. The Government of China believe that they are being strong by behaving in that way. I take the opposite view because they are a weak Government, as demonstrated by their threats of censorship of the media and their unwillingness to recognise the democratic forces that have existed in the colony. If the Chinese Government really believe in the "one country, two systems" that they have signed up to, they should not be planning—as they are—to subjugate Hong Kong to the standards that exist in mainland China.

The Government should learn the lesson of the situation in Hong Kong. Only last week or the week before, the Chinese Government warned the Americans that if they did not "cool down"—to use the Chinese Government's phrase—on the whole trade and copyright issue, the Chinese might transfer more of their trade to Europe and away from America. That is an example of how we could all be picked off one by one. Whether we are dealing with Nigeria's internal problems or with China and Hong Kong, there is no substitute for a global stance and the Commonwealth has an important part to play in that.

5.3 pm

Sir Jim Lester (Broxtowe): It is a great pleasure to take part in this debate because we are discussing something that we all care about, as has been shown by every speech so far. I remind my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) that, in preparing its report, the Foreign Affairs Select Committee was careful to avoid a conflict between our membership of the European Union and the value of the Commonwealth. Of course, it was a pleasure to work with my right hon. Friend, who adds so much to the wisdom of the Committee.

I have been a member of the Select Committee for a long time and the report before us today is one of the most satisfying with which I have been involved. We tend to consider current problems—for example, the Bosnian situation—but we also take a long view and look to the future, which leads to our most fascinating and valuable work. I hope that this report will be, as my hon. Friend the Member for Hereford (Sir C. Shepherd) suggested, a seminal report that will give all the member countries of the Commonwealth a chance to rethink their positions in it and how best we can develop it in the next century.

We noticed on our travels that some countries have not thought about the future of the Commonwealth. They accept its existence, like a comfortable old slipper, but they have not thought what will happen if the situation changes. The fact that we provoked consideration of the Commonwealth's future was valuable in every country that we visited. Perhaps the most lukewarm response that I heard came from ex-Prime Minister Seaga of Jamaica, who analytically and coolly said that we could not invent the Commonwealth today, but that he was convinced from his experience as Prime Minister of Jamaica that we are better off with it than without it. That was the coolest expression of support for the Commonwealth; the rest were much more enthusiastic.

One of the report's major suggestions is that, in our changing world, it would be valuable for trade Ministers to meet regularly. We recognise that most Commonwealth countries are in different trading regions and that we have the World Trade Organisation, but we felt that it would be advantageous for trade Ministers to meet, in the spirit of the Commonwealth, to discuss various problems and how to develop an intelligent global trading system. The Government's response to our report stated that the last meeting was in 1960, which was a long time before most of the trade organisations started. Perhaps we should organise an ad-hoc meeting of trade Ministers in Edinburgh in 1997 as a preliminary to a more permanent arrangement.

The finance Ministers' meeting has been incredibly valuable. The new finance Minister in South Africa told me that I would not believe how reassuring he found it to

[Sir Jim Lester]

attend the meeting and receive immediate warmth and help from his colleagues. That gave him the confidence to take on his difficult role. The meeting of finance Ministers has been used to deal with the problem of debt relief, which is close to many of the hearts of hon. Members present in the Chamber. Debt relief will be one of the big issues to be considered at the Group of Seven meeting in Lyon this week, and we have constantly pressed for action on debt relief because of our experience in the Commonwealth. We raised the issue at least twice at the Commonwealth finance Ministers' meeting.

As parliamentarians, we know the great value of the Commonwealth Parliamentary Association, but more than 200 other organisations include the word "Commonwealth" in their titles. For many reasons, including professional and technical commitment, people join across the Commonwealth and provide enormous help and assistance to each another. For example, there is a Commonwealth Dental Association, and the assistant to the Prime Minister of Jamaica was pleased to tell me that she is a member of the Commonwealth Planning Association. I suspect that most of us do not know about even a fraction of the organisations that exist and carry the Commonwealth forward. We should pay tribute to the people who, through thick and thin, retain a commitment to, and an interest in, the Commonwealth. I hope that they have been encouraged by the Committee's report.

However, not everything is fine in the Commonwealth. I refer to concerns in relation to education. Many of the leaders of Commonwealth countries have been educated in the United Kingdom, and they value that education. The President of India told me that there are two sorts of people in the world: those who have been educated at Cambridge and those who have not. Obviously, he was educated at Cambridge; I am one of the ones who was not.

Many Commonwealth leaders regret the fact that, partly because of the cost and partly because of the changing system, their children and grandchildren do not have that opportunity. Many people come to the United Kingdom for their education, providing us with one of our main sources of earnings. I believe that we must carefully consider the availability of education in Britain for the future leaders of Commonwealth countries, particularly for those of the poorer countries.

Cultural colonisation is affecting the Commonwealth. The United States of America produces a tremendous number of television programmes and sells them cheaply throughout the world—its programmes are broadcast 24 hours a day. I have witnessed the effect that this has had on my children and on my grandchildren. It is not all harmful, but it orientates them in a different direction.

People in the Caribbean have a diet of American television. Youngsters on the islands now play basketball and baseball instead of cricket. When I first visited the Caribbean, people played cricket on every corner with an old cabbage and a stick, and we have seen the results when they have played us in test matches.

Younger people in the Commonwealth do not have an appreciation of it and do not understand it. We cannot blame them for that; they see very little about the Commonwealth. For example, the Commonwealth games—the friendly games—cannot be shown in the Caribbean because it is not broadcast by American television and it is of no general interest to the American television audience. We have to be wary of this cultural colonisation; we must ensure a balance.

The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) read out figures that show that 38.3 per cent. of Kenyans listen to the BBC World Service, which is a good counter to any control that the Kenyan Government might have on their domestic publications. Unfortunately, we do not assess the value of what we spend, in terms of the Foreign and Commonwealth Office or of these important institutions. We must support organisations that maintain our cultural link.

During the course of the Committee's careful research, we visited Africa—we visited all the regions of the Commonwealth. People in Africa have many ideas about the future of the Commonwealth. They are in the process of changing their economies and they trust any official or person who is sent to them by the Commonwealth to give them honest and cogent advice. They are, however, a little more wary of other multilateral organisations, which although they may have marvellous curriculum vitaes perhaps do not understand them quite so well and therefore do not know how to begin to help with such changes.

The former Members of Parliament, clerks and others in Uganda feel deprived because their country is not currently a member of the CPA. We rightly did not let Uganda join because it did not fulfil the conditions. In Uganda, we had an open debate about the future of the Commonwealth, about Uganda's desire to rejoin the Commonwealth and about the support on which it relies from the Commonwealth.

A number of hon. Members have referred to South Africa. One of the most moving things that we saw in Soweto was a Commonwealth police team—not just a British team—training new recruits to the community police. The team comprised a female police inspector from India, people from Zimbabwe and British police men. They were working together to help to change the military police—with military ranks—to community police. The population realised that straight away. When they were brought into a police station, they would say, "Can that lady over there in the light blue uniform deal with me, rather than the people in the other uniform? I know that she is one of the new community police".

In one sense, South Africa has been the source of the problems of the Commonwealth. During the height of the difficulties, I remember us debating the issue and saying that the Commonwealth represented so much more than just the problems of South Africa—that there were so many links to the Commonwealth. Happily, we have got over that issue. South Africa has reaped a harvest of assistance from other Commonwealth countries in facing up to its problems. One recognises the value of the Commonwealth, and its value to its members.

I believe that the Government's response to the Committee's report, which I have not had time to analyse in detail, is not the last word but the first step in the continuing dialogue between the Foreign Affairs Select Committee, the House and the Government to ensure that we recognise the value of the Commonwealth and that we give it the resources that it needs to do the job adequately. I hope that once we have had a chance to read the carefully crafted words of the Government we will be able to have another debate.

I say to my right hon. Friend the Member for Guildford (Mr. Howell), who led the Committee so well, that this is a valuable report. I suspect that it will be talked about and used for a long time to come.

5.17 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The report of the Foreign Affairs Select Committee is very good. I am not a member of the Committee. I have been struck by the vigour of the ideas and by the thoughtful work of the Committee, on which I congratulate its members. The report will refocus the attitude of Parliament, and a lot of other Parliaments, on the real role of the Commonwealth. I shall not reiterate the important points that hon. Members have already made because we all agree with them.

I shall, however, highlight some of the matters that I think are essential. On several occasions, I have been chosen by the Commonwealth Parliamentary Association to monitor election procedures, such as in Malawi, or to take part in seminars on parliamentary procedure, such as in Kenya. Hon. Members do not realise the tremendous work that the CPA does at every level—week in week out, day in day out. With astonishingly little money, it produces fantastically good results.

For example, in Malawi I saw how an enormous sum provided by the United Nations was not producing the same efficiency or response as the work of the multinational CPA team, which comprised parliamentarians able to deal with the day-to-day problems of the elections and to respond to the real needs of local people, who had not had an election for many years. Local people desperately needed to know that they were doing the right things. The Commonwealth Secretariat proved what could be done by people who know what they are doing and who are determined to provide constructive assistance. If we handed the monitoring of elections in Commonwealth countries to the Commonwealth Secretariat and gave it a proper budget and the right back-up in terms of people and facilities we could solve many of the problems in states that desperately want to return to a democratic system of government. The Foreign Office should take that issue on board, as it is not addressing it at present.

Hon. Members who have spoken have been so polite that I hesitate to be my normal self, but I believe that the Foreign Office is frightfully mealy mouthed about the Commonwealth. It says, "Yes, we think it is a good idea", but it is so preoccupied with supinely following the European institutions that it does not put enough money or energy into supporting the Commonwealth. I am particularly concerned about the movement of British diplomats from sub-Saharan Africa. Those officers perform an enormously important function and provide specialist knowledge and support. Britain should not take two or three steps back simply because of the emergence of the new South Africa and because of the changing roles in the region and say, "Someone else can fulfil our role". That approach is not only wrong but wrong headed.

For example, when I returned from a visit to Lesotho I sought a meeting with Baroness Chalker. I was concerned that the movement of Foreign Office officials around sub-Saharan Africa was apparently producing different emphases within the existing approach. I was worried too about the growth—the excrescence—in the number of large European Community embassies in African countries, which appears to cut across the Commonwealth's role. One does not want to be paranoid, but one begins to wonder what is going on when one is confronted with large buildings staffed with European officials who operate on budgets that are three or four times larger than the budget of the British in those areas and who appear to be doing their own thing without consultation.

Baroness Chalker accepted that my concerns were perfectly legitimate and she undertook to consult about whether there was proper co-operation between the European Community and the British and the staff on the ground. She responded to my concerns in a letter to which I referred when I rather rudely interrupted my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore). She said, in effect, "Don't worry about it. Everything is all right. They are all frightfully polite to us in the EC. Anyway, when we move people from our commission offices we send someone to the EC establishments to act as an adviser and that makes it all right". That is a load of nonsense.

The Commonwealth promotes relationships among equals. That is what pleases me enormously about the Commonwealth: we no longer talk in a passé manner about how we can hand on our best British traditions. The Commonwealth is creating its own traditions within the framework of a democratic system that originated here and which we had the privilege and the ability to develop in fits and starts over many hundreds of years. The Commonwealth is using that framework to create democratic systems that contribute to development and stability in countries not only in Africa but throughout the world. That is very precious: we should be proud of our place in the scheme of things.

The Commonwealth Parliamentary Association is not the only organisation that performs noble work. It does a fantastic job and I pay tribute to the tiny number of staff who work flat out and perform important tasks every day of the week. I pay tribute to other organisations within the Westminster system that we do not always think about. The Clerks have their own association and they constantly exchange information and develop relationships that are important to emerging Parliaments, which seek contact not only with elected representatives but with those who can provide independent advice. The Speaker and her deputies play an important role in exchanging information with other Speakers and presiding officers from Commonwealth Parliaments. The exchange of support and experience is essential.

I hope that those functions will be valued more in the future. It is not simply a matter of coming to the Chamber and saying, "Oh yes, we think it is a very good idea". We must put some money, effort and, above all, some muscle into it. We should say, "We have a chance for a new start—let's get on and do something positive for a change". The report highlights some positive ways forward and, in that sense, it is very encouraging.

Against that, one must set the Government's attitude to the BBC World Service and the British Council. The Government seem to regard the British Council simply as an organisation that makes money out of teaching English. The teaching of English is a tremendously important task, but it serves the equally important function of giving people access to books and papers and to a different culture. It seems strange to talk about our daily

[Mrs. Gwyneth Dunwoody]

newspapers in the context of British culture, but we do have brilliant writers and artists and we should make our culture accessible.

I have seen medical students and doctors in Commonwealth countries rushing to read the *British Medical Journal* and *The Lancet* with an energy and a commitment that is not always evident among British doctors. We have much to contribute at every level and in every profession and we should value that role.

I am deeply concerned about what is happening to the BBC World Service—it would be quite wrong not to raise that issue. The World Service does not simply broadcast news and current affairs around the world, although it performs that role very well, but holds competitions for playwrights, such as the one run by the African service that produced some remarkable writing from new African playwrights. We should build on those achievements and not allow them to die. The BBC World Service produces many special and individual programmes that will be lost to listeners if decisions about its future are made by the large British domestic administration.

I am second to none in my admiration for the BBC, but the domestic BBC plays a different role from the BBC World Service. If it is left to a strange commissioning process within the BBC, we shall lose the quality programming that makes the World Service unique. It is no accident that many people in Britain prefer to listen to the BBC World Service—although it is not targeted at that audience—because of the quality and the breadth of its programmes. The BBC World Service realises that there is a world beyond the tabloids, and its journalists and reporters are prepared to write and to broadcast programmes that are so fundamental that I am horrified at any suggestion that the reorganisation will change the way in which the service operates. That could only damage the service. I hope that an incoming Government will change that state of affairs quickly by applying considerable pressure to the governors and the administration of the BBC.

In one of her more enlightened moods, Madam Speaker asked me to take over her responsibility for a little organisation called the Commonwealth Countries League. It is a tiny charity that uses all its money to support, throughout the Commonwealth, girls who need help to go to secondary school or even university. Some of the stories about the children involved are very moving.

There was, for instance, a case of identical twins whose parents could not afford to send both of them to school, so they were having to take turns—one week on, one week off—going to school. We were asked for a tiny sum to give them the chance of an education. The league consists of a small group of dedicated women who, entirely by their own efforts and by running a huge fair once a year, support many girls in this way throughout the Commonwealth. Of course it is just a tiny drop in the ocean of education problems facing sub-Saharan Africa—I do not want to mislead the House about that—but the vital work goes on because of the commitment of these women. They come in every colour, shape and hip measurement, and they are of varying educational backgrounds; but they come together to do their best to raise cash for girls throughout the Commonwealth—a practical demonstration of what the Commonwealth is all about.

The Commonwealth is an equal partnership of people who do not necessarily share a religious or domestic background or even the same political ideas. Still, they believe that this strange gossamer-like organisation, which has grown out of an imperial past into a strong and worthy body, needs our support, now and for the future. They look to every elected Member of this House to understand the importance of the organisation and to commit themselves to it from now on.

5.31 pm

Mr. Mark Robinson (Somerton and Frome): I congratulate my right hon. Friend the Member for Guildford (Mr. Howell) and his colleagues on the Select Committee on producing the most positive report on the Commonwealth to have emanated from Government and parliamentary sources in a very long time.

I must declare an interest of a sort: I worked for the Commonwealth Secretariat for six years and had the privilege of serving as a member of the board of the Commonwealth Development Corporation for four. I have experienced the contrast between the Commonwealth and the United Nations, whose secretariat I have also worked for. There is a great difference between the large bureaucracy of the United Nations and the tiny secretariat that supports the Commonwealth. Ministers go to the United Nations and talk at the assembled company; they deliver their speeches, attend a dinner and then go away. But when Ministers go to Commonwealth meetings and Members of Parliament come to CPA meetings, they talk to each other. I agreed with my hon. Friend the Member for Broxtowe (Sir J. Lester), who talked about the importance of ad hoc meetings. I know of one clear example of their importance.

I was privileged to service the Foreign Ministers' ad hoc committee that considered Belize. It met in New York while the UN General Assembly was in session and it played a key role in bringing Belize through the process of independence, against the background of a hostile neighbour state which was threatening Belize but which was eventually prevailed on to allow its independence to take place. Peer pressure from within the region was the cause.

A great deal can be achieved in small, informal meetings. I have sat in on three Commonwealth Heads of Government meetings, with the task of helping to formulate the resulting communiqués. I noticed that new Heads of Government often arrive with cynical views of the Commonwealth. I think in particular of one Head of Government who went on to be a distinguished chairman of the Commonwealth Heads of Government meeting in Malaysia—a complete convert to the Commonwealth family.

The reason for this is simple: it is that, at these meetings, Heads of Government talk to each other. The meetings are held in private rooms where politicians' utterances are not being recorded for the press or the outside world, so they can speak freely.

When historians come to look at the Commonwealth, as they so often do, it will be seen that an outstanding example of its role and work was the transition to an independent Zimbabwe. There may be differences of opinion about what happened, but it is certain that without the Lusaka agreement—between the Heads of Government who were meeting in Lusaka—there would

have been no Lancaster House conference. It was because Baroness Thatcher, President Kaunda and the leaders of the Commonwealth were able to sit down together to achieve progress that agreement was reached.

What is more, the process snowballed. Namibia's independence, although a UN exercise, was another link in the process and the Commonwealth played an important role in it. The same applied to the process of South Africa's independence. I have not forgotten the surprise expressed by the current Secretary-General of the Commonwealth, Chief Emeka Anyaoku, at his reception by President de Klerk on his first visit. He had been warned that the Commonwealth was not popular in South Africa and that his meeting was likely to be short and terse. It proved not to be. They talked for a long time and held a second meeting which helped to break the ice and change the attitude of the then South African Government to the Commonwealth. That in turn was important to the process of transition that followed.

The British Government in their dealings with what some call the new Commonwealth have not always in the past acted as initiators, because of a view that the process of decolonisation was still under way and that it might not be a good idea for Britain to be seen as the dominating partner in the Commonwealth. Times have now changed, however, and there is plenty of scope for Britain to take the initiative in the Commonwealth family. That is one of the key messages of the Select Committee's report.

We should note how the attitude of many Commonwealth member countries to economic policy has changed. No longer do we hear the language of state socialism; no longer is the parastatal concept dominant. Instead, the private sector is now at the heart of these economies, with an important role to play. That is why the Commonwealth private investment initiative is likely to be so significant. I hope that we will offer it strong backing, just as I hope that the CDC will be allowed an expanded role in helping the emerging economies of many Commonwealth states to link up with global business.

I have visited some of the CDC's projects and seen the success of its equity participation in many of them. I have also seen the enthusiasm of the local investors. If we put our minds to it, we and the other more developed member countries can build on that success.

As has been emphasised in the debate, we have a common language. Nor should we underestimate our common systems. We have a common system of government. Bureaucracies operate in different ways but they have come from the same antecedent. A host of Commonwealth organisations, some governmental and many non-governmental, meet in a variety of expert fields which service themselves with only tiny amounts of money. That produces an enormously strong interchange of ideas.

That has great value in diplomacy. That was one of the earliest lessons that I learnt as a junior official at the United Nations. When I worked in the Secretary General's office I had to get to know ambassadors at the highest level. The quickest way to get on first name terms with a Commonwealth ambassador was the link of education. It may be obvious, but from the moment that it was established that one had gone to Middle Temple and the other to Gray's Inn, both are friends. That happened at ministerial level too, whether it was two Ministers who had gone to the London School of Economics or shared the same university. It was a bond to be struck immediately through which business could be effectively transacted and agreement reached.

We must not neglect in our diplomacy the importance of such links in helping to break down barriers in negotiations such as those on the general agreement on tariffs and trade because we span so many regional organisations. In the Commonwealth we do not attempt to dictate, but to converse; we attempt to discover what mechanisms might lead to the removal of blockages to a successful negotiation.

Yesterday I listened to a brilliant and wonderful speech by His Royal Highness Prince Hassan El Bin Talal, the Crown Prince of Jordan. He does not represent a Commonwealth country, but he was saying things that were pertinent and relevant to what we have been talking about this afternoon. He spoke about the cultural and religious differences in the world which come out of great historic tradition. The only chance that we have of defeating the extremists is by understanding each other. In those great religious and cultural traditions, there is a strong centre of moderation and common sense. I mention that because the Commonwealth crosses religious divides, just as it crosses cultural divides, which is enormously important to its members' ability to understand one another.

Britain needs to make better use of this wonderful asset that it has at its disposal. We have that opportunity when it comes to the Commonwealth Heads of Government meeting in Edinburgh in 1999. We have heard how small is the budget of the Commonwealth Secretariat, as is the budget of the Commonwealth. But within the Commonwealth family, small amounts of money go a long way, provided that they support sensible and constructive initiatives that are free from the burgeoning bureaucracy that we see so often in the large family of UN specialised agencies.

The finance initiative to which I have referred is just one example of what could be achieved, but there have been many initiatives in health, education, trade and industry. We need to pick up those opportunities and develop them at Edinburgh. I am sure that we shall be able to do so in a constructive manner. In doing so, we shall win and continue to win the good will of our Commonwealth partners, who are so important to the success of our diplomacy across the globe.

5.44 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): The Select Committee's inquiry changed my perception of the Commonwealth, not because I do not have any Commonwealth connections—I do. For the greater part of 30 years I have had connections of one kind or another with Caribbean or African political contacts and colleagues. As the hon. Member for Hereford (Sir C. Shepherd) said, I was a governor of the Commonwealth Institute, and I underline and reiterate what he said. It would be an act of vandalism if the Commonwealth Institute closed. That would send a catastrophic signal, so I hope that common sense will prevail.

In some ways, despite all those contacts, I had become part of the defensive mentality about the Commonwealth. Speaking about the Commonwealth made one feel old, as if it was no longer relevant to the current generation of young people either within Britain or the Commonwealth.

[Mr. Ted Rowlands]

As our Chairman expressed so forcefully with regard to economic and commercial matters, as we went around I was struck by the enormous potential of the Commonwealth network. We had not appreciated how much more political, economic, commercial, cultural and social traffic it could take.

The energies that we have consumed in trying to resolve our relationship with the EU have in some respects diverted our attention from the wider role that Britain can and should play, certainly in the Commonwealth. The C in FCO—the Foreign and Commonwealth Office—has been very much a Cinderella in recent years. I hope that the Committee's report will mean that some of those in the Department will attach greater importance to our relationships with and the potential of the Commonwealth.

The most stunning and vivid part of our inquiry was our visit to the Indian sub-continent, where I had never been before, and, in particular, to Bangladesh. I had a completely false image of a country in total destitution. But I was astonished by the vibrancy and energy of the emerging early modern capitalism that is evident on the river banks in Dhaka which will lead to considerable economic and commercial development in the Indian sub-continent.

I felt that I was witnessing, in a completely different environment, the emerging capitalism of my constituency 150 years ago. We talk a lot about the development of democratic political institutions. There is another reason why it is extremely important that political and economic democratic institutions should take root in many of the emerging Commonwealth countries. Democratic political representation has been the means by which capitalism has been civilised. The past 150 years in my constituency have seen the process by which electorates grow in franchise, grow in political pressure, as expressed through political representation, and have progressively tried to civilise capitalism.

If there is to be, as everyone now preaches, a free market, and a capitalistic view of the development of Africa and Asia—I support entirely the Commonwealth Development Corporation, which plays an important role—there will also be huge inequalities. The lack of development in so many parts of Africa and Asia at the moment could be transformed into considerable economic and commercial growth, but with huge divisions in their societies as a result of the inequalities that go with such a system. The countervailing force to check that unbridled capitalism will be the development of political and democratic institutions. That is the function that political representation has played in the development of the full-blooded democratic system in this country in the past 150 years. It will have to play that role in the emerging countries of the Commonwealth if the economic growth that is promoted by free-market ideas and private investment occurs. Political institutional development will be an important factor alongside any economic development that might be created by know-how funds and the valuable role that the CDC and others will play in growing economies within the Commonwealth.

I now come to the chapter in our report that deals with the cultural diplomacy of the Commonwealth. We forget—perhaps because we have taken it for granted for far too long—the fantastic appetite of the young generation in the third world, but particularly the Commonwealth, for education. Anyone who spends just half an hour in the British Council library will see queues of young people—and not so young people—waiting to use the facilities, the telephone calls that pour in for language lessons, and the demand to take exams. I was told by my parents, in Treorchy, in the Rhondda—I could not have been long out of the womb—to do my homework, because that was the way to get out of the pile and to progress. We can find that fantastic instinct everywhere, but particularly in the Indian sub-continent. It is through the English language and British institutions that new generations of young people seek their salvation and their emancipation.

Education is an act of emancipation. It strikes me as appalling that we are, in 1996, a rich and powerful country, yet we are cheese paring on such things as Commonwealth scholarships, the British Council's budget and the BBC World Service. Perhaps in the usual convoluted discussions of the Public Expenditure Survey Committee those cuts can be justified, but I ask the Minister to take the message to Ministers, particularly his Treasury colleagues, that the cumulative effect of those cuts is that people feel that we do not care. I understand that Ministers care—Baroness Chalker has a tremendous track record on this, so it would be wrong to make such an allegation—but the cumulative effect of individual decisions made in a PESC round, perhaps to give a tax cut here or offer some alternative there, impact on emerging countries, whose younger generation look to Britain to provide and service their educational emancipation.

The hon. Member for Somerset and Frome (Mr. Robinson) spoke about the political chemistry that occurs as a result of educational contact, because of a common language and shared values. That was certainly true in the years that I spent in the Foreign and Commonwealth Office, when I dealt mainly with Commonwealth countries.

There is much cross-party support on this issue. I make a plea to the Government to think again about the cumulative impact that the various cuts and changes have on our relationships with people as well as Governments. The cuts are damaging the whole concept. I hope that, if nothing else, our report has shown us all that the Commonwealth is not some nice, sentimental, ancient concept, but that it has a future and that it can go into the 21st century, as long as the British Government, British people and British Members of Parliament support it in the practical and sensible ways that we suggest in our report.

5.55 pm

Mr. William Cash (Stafford): It is a great pleasure to follow the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and other hon. Members, on both sides of the House, who have spoken. I was sitting in my office in Millbank when I saw the debate on the monitor, and I felt very strongly that I wanted to be here to participate rather than just observing it at a distance by satellite.

One thing that is characteristic of the debate and the people who participate in it is the deep sense of commitment to something which, as the report shows, is of immense importance, not only in terms of our history but in terms of the future of the emerging world and

global markets. It binds together hon. Members in a way that other things do not. I believe very strongly that the report should be read by as many people as possible. I pay tribute to the Minister, and, indeed, to Baroness Chalker, for the tremendous work that they have done in relation to the Commonwealth. It is fair to say that the latter has dedicated the greater part of her political career to an interest in those matters.

I also pay tribute, although he is not here at the moment, to the Chairman of the Select Committee, who has produced a highly original report. Every member of the Committee deserves congratulations on having gone straight to the heart of an enormously important question about the future of so many different countries, which have cultural, political and language ties, and with an enormous commitment to those who can teach us a great deal but who at the same time frequently need our help.

I listened this morning to a report about the problems of the increasing desertification of Africa. There is a massive ecological problem there, and people are bound to starve on a massive scale unless others who are in a position to help them get together and do something about it. It is those thoughts and the broader—if I dare use the words—moral objective that lie at the heart of my interest in a reduction of debt.

As some hon. Members will be aware, there is a motion on the Order Paper in my name with more than 300 signatures, seeking the reduction of debt, which is a terrible burden, and much of it was accumulated not through any fault on the part of the countries concerned, but primarily because the change in the nature of government in some cases led to massive civil war. I am thinking in particular of Uganda, which, as many hon. Members have said, has gone through that period of transformation in a highly satisfactory direction and yet had such accumulated problems that, were it not for the President who has just been elected, it simply would not have been able to achieve what it has achieved.

When we think about the civil wars that are conducted on the Floor of the House and in other contexts, we should bear in mind the fact that President Museveni went into the bush to defeat a dictator who was in charge of a regime that committed appalling atrocities—with, I believe, 26 men and 26 rifles. He went into the Lowero triangle, and managed to turn his country around. We have always associated such political heroism with our own country, but it can be seen elsewhere.

We should pay attention to the concluding observations in chapter X of the report:

"We have heard . . . in our inquiry, and we do not tire of repeating . . . that Britain's Commonwealth connections, and the integration in a global network of communications and friendships which go with them, are the envy of our trading competitors. Surprise is expressed that this country has not utilised them to greater advantage."

A number of hon. Members referred to the personal relationships, and to the bond that exists. In my final remarks, let me try to demonstrate my commitment to the enterprise. We are talking about our future, and the future of other Commonwealth countries. We are talking about a major factor in the development of the global networks—not just about trading opportunities, or whether we should insist on improvements in human rights in return for trading advantage. There is an enormous opportunity for this country to participate in a growing and vibrant network, which I believe we should continue to stimulate and encourage.

I congratulate the Select Committee on its report, and, in anticipation of my right hon. Friend the Minister's speech, urge the Government to continue their good work. I also congratulate the Commonwealth itself on the way in which it has developed over the past 20-odd years.

6.2 pm

Mr. Donald Anderson (Swansea, East): I join the hon. Member for Stafford (Mr. Cash) in paying tribute to the Chairman and distinguished members of the Select Committee, who have produced an excellent report. I have spoken to a number of old Commonwealth hands, who have been as one in praising it and expressing the hope that it will focus public opinion on the opportunities that exist, challenging people not only in this country but throughout the Commonwealth.

The report is timely. As the New Zealand Prime Minister, Jim Bolger, observed in the most recent issue of *The Parliamentarian*, the Commonwealth has reached a turning point. At the Commonwealth Heads of Government meeting at Auckland in November, key decisions were made on how best to implement the proposals presented to that meeting, and points were made about the criteria for membership. I believe that the ghosts of the Commonwealth past have largely been exorcised. Those of us who began our political careers in the 1950s and 1960s remember debates about decolonisation that tended to cloud our more objective view of the Commonwealth. Some of those debates, such as the one about Rhodesia, continued; then, in the 1960s, the question of European Community entry supervened. During that debate, the Commonwealth was paraded by some as an alternative to what I consider to be our natural trading region. The Select Committee and its Chairman, however, have made good points about the new challenges that are presented in the global trading and communications system, in which the old distances have become less relevant.

In the late 1970s and the 1980s, debates on the Commonwealth were soured by the situation in South Africa, making objective discussion in parliamentary and international forums much more difficult. It is instructive to observe how far we have come in terms of attitude to the Commonwealth. Ten years ago, at the beginning of August 1986, a special Commonwealth conference on South Africa was held at Marlborough house. Venomous remarks were made by Members of Parliament, British newspapers and, dare I say, senior sources in the Government. I have looked through the newspapers of the time; one Member of Parliament was quoted as saying:

"the Commonwealth only costs us money; we give them aid; they kick us in the teeth and send their drop-outs to stay here."

One Member, Anthony Beaumont-Dark, called the Australian Prime Minister, Bob Hawke, a "ranting hypocrite", and there were some pretty horrendous briefings from Downing street. I was in the corridors of Marlborough house at the time.

There were editorials on the theme, "Do we really want the Commonwealth? Is the old club falling apart?" That was only 10 years ago, but we have travelled a long way since then—largely because South Africa, which constituted the obstacle or blocking mechanism, is no longer a symbol of offence. It has become a symbol of opportunity, providing a model for what the Commonwealth can do, and is doing, for its many members.

[Mr. Donald Anderson]

Like many hon. Members, I was fortunate enough to be in South Africa in April 1994, at the time of the election. It is, perhaps, the most blissful memory of my political life so far. I saw people queuing to vote, the black servant standing alongside the white employer, and felt joy that the votes of both were of the same value. We now look forward to welcoming President Mandela next month, in Westminster Hall: we are well aware of the significance of that. It could all have been very different had South Africa not had a leader of such towering historical significance and humanity—who was, of course, helped by the Commonwealth network. Sometimes it failed, as was the case with the Eminent Persons Group in 1986, but the Commonwealth Secretary-General, Emeka Anyaoku, played a quiet but effective role behind the scenes.

The Government who played such a destructive role in the mid-1980s now act effectively as an advocate for South Africa. In March this year, they pressed our European Union partners to agree to a scheme enabling the Commission to discuss a free trade area with South Africa. The role that we can play in our own regional grouping as advocate for the Commonwealth in respect of South Africa and the West Indian island banana trade can be replicated by other Commonwealth countries in their own regions—for instance, by Canada in the north American arrangement, and by Malaysia and the south-east Asian nations in theirs. Thus our role in respect of South Africa sets a precedent. I hope that Singapore and Malaysia can use their trading clout and commercial expertise across the regions to help a number of African Commonwealth countries.

South Africa is also involved in our United Kingdom aid programme, not only through our contribution to improving the efficiency of the public service and the police, but through our helping to integrate the armed services—the old MK and the old South African Defence Force. South Africa is now normalised and the Commonwealth can go forward without the hang-ups and the souring effect that South Africa caused in the past.

As the Foreign Affairs Committee well shows, the Commonwealth can provide for all its members an important instrument of foreign policy—networking within the family across a range of problems. That raises the question of the qualifications for membership. The issue was addressed at the CHOGM in Auckland, when Cameroon was admitted to the Commonwealth. Cameroon has had a colonial relationship with the United Kingdom, but Mozambique, which has a different language and no colonial relationship with the United Kingdom, was also admitted. Now Rwanda is knocking at the door.

How does one have a creative relationship with countries at the edge, especially when there is a danger of a turf war with the French-speaking countries? One thinks of Angola, Rwanda and, possibly, Burundi in that context. If there is a Commonwealth, there is a non-Commonwealth. What are the links that are sufficient to bring members together? I know that that question is now being looked at in detail as a result of the decisions made in Auckland.

The key point is that the Commonwealth is a dynamic organisation. We find that, rather than the Commonwealth losing members, countries can see the advantage for them in being a member. All the Southern African Development Community countries, with the exception of Angola, are members of the Commonwealth. Mauritius, situated off the coast of Africa, is another Commonwealth member; that very successful country has joined SADC recently.

Co-operation on democracy is vital, as has properly been said. The Auckland conference was a turning point as it showed that there was a determination to build on the Harare declaration on human rights of 1991 and to strengthen the means by which the Commonwealth could signal its disapproval of human rights violations.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), who is a doughty fighter on behalf of Commonwealth interests, made a point about the Commonwealth's monitoring of elections. We must look carefully at the respective roles of the Commonwealth Secretariat and the Commonwealth Parliamentary Association, whose tie I and the hon. Member for Hereford (Sir C. Shepherd) proudly wear. There is a danger that the Commonwealth Secretariat, which represents Governments, will be constrained in commenting on whether an election is proper, although it will have a key technical role in providing assistance before elections. I have seen at first hand the way in which it helped to mould and therefore to legitimise the elections held some years ago in Guyana, but there must come a point at which, rather than be part of an election process that is clearly a charade, the Commonwealth must withdraw.

A few years ago, I was about to go, on behalf of the Carter Foundation, to monitor an election in a west African country. The foundation took the key decision that it would devalue its own legitimacy in terms of election monitoring if it participated in that election. I was personally pleased that, at the last minute, the foundation said that it was cancelling the visit. I hope that the Commonwealth will be equally robust in recognising that it must preserve its credibility in such cases and that the secretariat and Governments, when saying, "Yes, we will provide technical assistance," will realise that pronouncing on elections is best done by parliamentarians. The dividing line between the role of the secretariat and the role of parliamentarians must be clearly defined.

In its bipartisan report, the Committee comments that our Government are not sufficiently committed to the Commonwealth. Examples can be given, such as the rather limp memorandum that the Foreign and Commonwealth Office first delivered to the Committee. Other examples have been given by colleagues, such as the Commonwealth Institute and the World Service. Colleagues have pointed to the fact that the operating budget of the World Service for the years 1997-98 has, in real terms, been cut by £8 million. That is part of the cheese-paring to which my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) referred.

There are other problems. I personally am irritated by the fact that the Commonwealth has not addressed problems such as the security interests of smaller nations. When the Maldives were attacked in the mid-1980s, for example, books were written and conferences held. Such matters have now fallen entirely outside the frame. We need to look together at the way in which the Commonwealth can co-operate to protect smaller nations.

We have a new Commonwealth from which, as I said, the old ghosts have been exorcised; the old hang-ups have gone. We can now look forward with confidence.

I entirely follow what has been said in the report about the importance attached to meetings of Finance Ministers, and I hope that similar meetings of Trade Ministers can be held. I hope that the Government are already preparing for the Edinburgh CHOGM next year.

I believe that we shall have another Government by that time—a Government who not only are more committed to the human rights role of the Commonwealth, but who will look at ways in which trade relationships can be enhanced. We have a new era in the Commonwealth with new possibilities, away from some of the illusions of the past. I believe that although the Government can be criticised for the uncertain signals—indeed, contradictory signals—that they have given in the past, they should prepare for the meeting at Edinburgh next year, to ensure and enhance the potential of the Commonwealth in the new circumstances.

6.17 pm

Ms Glenda Jackson (Hampstead and Highgate): I admit to a sense almost of despair about some aspects of the debate. Some hon. Members seemed to argue that the reason for supporting the Commonwealth and for ending the cheese-paring, as my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) called it, in the organs that are so necessary in strengthening ties and links in the Commonwealth, was exclusively this nation's self-interest. They presented the Commonwealth as possibly yet another major market for this country and as an avenue for greater investment by this country in the other nation states of the Commonwealth.

I am prepared to accept the argument of economic self-interest as long as we realise that, in our concern to retain those strong economic ties, we must not turn a blind eye to the exploitation of child labour or endorse the use in certain African countries of fertilisers and pesticides that are banned here and elsewhere and have the most appalling effects on the workers who spray those substances on their fields. I am prepared to accept the economic argument as long as we do not close our eyes to the total lack of trade union rights in certain parts of the Commonwealth and the murder of trade union activists in other Commonwealth countries.

I was not happy to hear the Commonwealth presented yet again as a club. In my view, the essence of the Commonwealth and the reason why the Government should increase financing to contributing organs based in Britain, which disseminate information throughout the Commonwealth, is that it has the potential to be a perfect model of the future of the world. It can be the means by which independent nation states, regardless of colour, creed, religion and tradition, can acknowledge the simple humanity that all individuals share, through a shared history that has been by no means essentially calm. Some nations have survived terrible tragedies, and they have managed to overcome their difficulties, to forge a concept of a world in which all peoples can live together in harmony and develop their economies—but not at the expense of other nation states. That seems to me the central reason for supporting the Commonwealth and its real value in a world that is continually restructuring itself—not the exclusive one of economic self-interest for Britain, or even for the developing nation states within the Commonwealth.

I also found it interesting, if slightly depressing, to hear criticism of certain countries within the Commonwealth. There was also undoubtedly criticism from hon. Members on both sides of the House of the British Government. On a recent visit to New Zealand, strong criticism was expressed to me of the failure of this Commonwealth country to speak out in support of another Commonwealth country against atomic testing by a nation state that is not part of the Commonwealth.

I support the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) in that we should not presuppose that we are the exclusive arbiters of what constitutes the best form of democratic government. Although we expect all member states of the Commonwealth to be committed to democratic government, how individual member states reach that goal is particularly fascinating. They have to find their own ways to democracy and freedom.

All hon. Members thoroughly support and endorse the essential requirement that all Commonwealth states be committed to human rights. I have had reason to raise in the Chamber the absolutely appalling actions of Nigeria and its abuse of human rights as they impacted quite directly and specifically on one 13-year-old boy who lives in my constituency.

I still find it incomprehensible that the Commonwealth, working in common with the rest of the world, has not found some means to impose sanctions on Nigeria. I take on board the argument that, without unity of purpose and a world agreement to impose sanctions on Nigeria, they would not work. I refer to economic sanctions, but the ability to work with other power blocs and nation states within the United Nations should be an integral part of the Commonwealth. It should be able to bring home to Nigeria the unacceptable nature of its present regime, not only because of the appalling suffering of millions of Nigerians under that illegal, cruel and intemperate regime, but because it will be harder for other Commonwealth countries that are attempting to craft their own way towards democracy to take the necessary—and sometimes risky—steps and leap into the dark if the richest and most populous country in Africa is allowed to get away with such appalling actions. I hope that the Commonwealth will not neglect that issue. It cannot be ignored, as it impacts upon the entire Commonwealth when one state so blatantly ignores calls for the most basic human rights.

Hon. Members on both sides of the House have stressed the importance of education and the enormous gift that Britain was able to give in stimulating a desire for education. One such example is a constituent of mine. He is from Kenya, but has dual nationality. He came to Britain having obtained a place at university and was somewhat shocked to discover that he was not expected to pay in-country fees, but was charged tuition fees as if he and his family had no association with Britain and he was a foreigner. As he had considered himself to be a citizen of the Commonwealth, he found that not only shocking, but extremely disappointing.

I hope that the Government will take that on board and accept that, although it is a long time since Commonwealth countries regarded themselves as colonial countries, Britain still treasures education, human rights and a democratic system of government, and is prepared to commit itself to defending those principles and ensuring that all peoples throughout the world should eventually benefit from them. When Commonwealth citizens discover that Britain does not keep true to those ideals, they feel disappointed and almost betrayed.

[Ms Glenda Jackson]

Mention has been made of the importance of the World Service, and I cannot underline that too strongly. The hon. Member for Broxtowe (Sir J. Lester) gave the House some incredible figures. Millions, if not billions, of people around the world listen to the World Service. It must be the cheapest Internet that the world has ever known.

Individuals in emerging countries do not always have access to electricity, to tap into the vast network that we are told information technology is making available to the whole world. It is not available to all the world, but radio is available to individuals or to a group of people listening to one tiny transistor radio. It would be a disaster if the extraordinary service that the World Service has provided over so many years were subsumed into a rationale or reconsideration of what broadcasting is about, with radio not being as important as television and the Commonwealth not being able to hold a candle to Europe and America. The loss of the World Service would be grievous.

It would be wrong, too, to believe that the British Council is essential only to teach the English language. It has taught for many years, and its teaching is valued in ways that are impossible not only to define but certainly to put a value on. The British Council provides a two-way street. Often, it stimulates in Commonwealth and other countries what is then creatively returned to us.

I am grateful for this opportunity to enter the debate. I value the concept of the Commonwealth. I believe that the majority of hon. Members value the concept too, and anything which we can do and which the Government can be urged to do to underline that value to the people of this country and, indeed, the rest of the world, is to be treasured.

6.30 pm

Mr. Tony Lloyd (Stretford): My congratulations go to the Chairman of the Select Committee on Foreign Affairs, the right hon. Member for Guildford (Mr. Howell), as they do to other members of the Committee. All reports that are debated in Parliament receive the usual platitudes, but this report is important and of very high quality.

In recent years, the Government have undervalued the role and importance of the Commonwealth. My party has a long association with the Commonwealth. At the end of the war, a Labour Government brought the Commonwealth into being, and under Harold Wilson's Government, the Commonwealth secretariat was established. It is true, however, that, even in the Labour party, such ties have faded over recent years.

There is a profound case to be made about self-interest and a genuine enlightened view of the world—as well as, perhaps, about the interface between the two and Britain's global role. Even if the Commonwealth did not exist, we could not invent it. Since it does exist and we do not need to invent it, we should take maximum opportunity of the benefits and advantages that it presents. The right hon. Member for Guildford certainly made some very significant points about the economic advantages of Commonwealth membership, which, as a nation, we must examine in depth.

The Commonwealth offers a common language, which is of great significance. There is a little debate, to which my hon. Friend the Member for Swansea, East (Mr. Anderson) referred, on how far we should expand the Commonwealth if it breaches the principle of linguistic unity. Such a breach, of course, has already happened to a degree with the addition of Cameroon and Mozambique, but, in both those countries, massive efforts are being made to ensure that English is in common use.

The Commonwealth is not just about language but common attitude and common institutions that allow access to different Commonwealth markets—not just to others for Britain but, increasingly, to other Commonwealth nations for Commonwealth nations. Britain was once at the centre of the wheel, but now, because of the world internet that my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) described, it is no longer. It is simply one part of the very complicated chain of communication. We should value that, and accept that a quarter of the world's population live in Commonwealth countries. Indeed, the rapid population growth in the Indian subcontinent means that that relative proportion is likely to increase. That presents a massive economic zone and means that those who are prepared to use that economic coming together for common purpose and common wealth can do so to collective advantage and not only for narrow self-interest.

There are reasons for membership above and beyond those of narrow self-interest which, from a British perspective, we must pursue. Labour in Government will ensure, for example, that we begin to establish a role for the Commonwealth section in the Foreign Office in informing attitude and policy across the range of policy formation. We must ensure that we do not ignore the importance of the connection.

Rather like my hon. Friend the Member for Swansea, East I think that it is important to establish that the choice for Britain is not an artificial one of either Europe or the Commonwealth. That is unreal—it always was. With more complicated trade and patterns of exchange, it will become increasingly necessary for us to maximise advantages for ourselves and the world by operating across a range of different economic areas. The advantage of the Commonwealth connection is that it links us to almost every major economic bloc on the planet. It is of clear and direct interest to Britain to do relatively well in accessing the markets provided by the Commonwealth.

Labour in government would certainly want to pick up on the point that the Select Committee made about the need for greater concentration on how the Commonwealth comes together economically. We would use the Commonwealth Heads of Government meeting in Edinburgh in 1997 to establish a Commonwealth economic development plan. We ought to begin to consider fair but free trade in the Commonwealth. We also ought to consider sustainable development and investment in the Commonwealth. We need to recognise, however, that Britain has a responsibility to our Commonwealth partners. Quite soon, the question will loom large about the succession to the Lomé 4 procedures. It is not simply in Britain's direct interest but an obligation to our Commonwealth partners to ensure that they have acceptable and fair access to the important European market, especially those in the Caribbean.

One of the Select Committee report's suggestions concerns the role of meetings between trade ministers. Certainly, Labour in Government would want to ensure annual meetings of Commonwealth trade Ministers. It is

important to begin to establish such connections. The Select Committee's recommendation is therefore very important.

It is also worth picking up the Select Committee's comments on aid. I hope that the Minister will take them on board. There is increasing concern that the way in which the fundamental expenditure review seems to be easing the Caribbean out of the aid equation and the Commonwealth into a lesser role in that equation will do no good, not only to Britain but to others in the Commonwealth who still depend on some kind of support.

That point was made to me yesterday by the Prime Minister of one of the Caribbean islands when we were discussing access to European markets and the possibility that Caribbean bananas could be excluded from such markets. He made the simple point that where one can no longer grow bananas, one can grow marijuana. If we offer that choice to our Commonwealth partners, the decision will be taken not at governmental level but by those who are driven by poverty and economic opportunity. If we want to avoid that we must offer some practical and sensible assistance, whereby economic development and investment allows development in those economies so that they can continue to trade in the Commonwealth and gain access to European markets.

I want to devote the rest of my remarks to the unique role that the Commonwealth performs in human rights and what, as my hon. Friend the Member for Hampstead and Highgate said, we would regard as what Britain has given to the world. Our pride in the British democratic tradition makes sense only if we can say that we are putting it into practice.

The Commonwealth has made great steps. Indeed, it is one of only two global institutions—the other one, of course, being the United Nations. By definition, the United Nations must take on board all-comers. It is important that membership is not restricted. But the Commonwealth operates with a different set of principles that allow us to state that common values and attitudes must be brought to bear.

The steady development from Singapore in 1971 to Harare in 1991 of a Commonwealth perspective on what is acceptable for members has been very important. Even more important was putting some practical bones into the body, which took place at Auckland last year. At that meeting, the Commonwealth ministerial action group was set up to act in a practical way to see to what extent human rights and democracy were being put into practice within the Commonwealth.

Mr. Rowlands: My hon. Friend referred to a "steady development" since 1971, but I have a vivid memory of trying to get our Commonwealth partners to come out against Idi Amin and failing hopelessly. It has been a more recent development, and that is why it is very welcome.

Mr. Lloyd: My hon. Friend is right. The developments were steady in terms of rhetoric, but almost non-existent in terms of action. Even now, one of the problems that bedevils the Commonwealth is that if we accept that it is necessary to have unanimity of purpose, we will always end up moving at the pace of the slowest. The Commonwealth will therefore not be effective in applying pressure to those who fundamentally breach its levels of democracy and human rights. We must do better, otherwise the Commonwealth will fail to take the opportunities that are presented to it.

The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) referred to the situation in Kenya, a country that is moving towards an election that no one can be confident will be free and fair. One must doubt whether the Select Committee's definition of a free and fair election will be applied—namely giving an opportunity to the Kenyan public to easily get rid of one Government and replace it with another. In those terms, the elections will fail the central test of democratic acceptability. It is not acceptable for the Commonwealth monitoring group to return to Kenya—they went there four years ago—and say that the elections are free and fair. The report suggests that the Commonwealth imprimatur of free and fair elections remains a coveted accolade, and it must remain so, but it will be devalued if we accept as legitimate elections that simply are not.

The role of the Commonwealth in election monitoring is one to which hon. Members have paid tribute, and that role must continue and be intensified. But it can be carried out properly only if we are prepared to say on occasion that we will not simply accept that a particular exercise in pseudo-democracy is up to the standards that we expect.

The biggest failure that we have seen, I am afraid to say, occurred this week, when the Commonwealth ministerial action group met the Nigerian Foreign Minister in London. The record of Nigeria since the military coup in 1993 has been outrageous. It is not a matter of a marginal breach of standards. It is an absolute outrage that we have been prepared to deal with this country in such a kid-gloved manner. The president-elect is serving a life sentence for the crime of claiming to be the legitimately elected president of Nigeria. That is outrageous. Even the person who deposed him from power is now serving a life sentence, which goes to show the even-handedness of that brutal regime. A few weeks ago, the wife of the president-elect was murdered. That is a human outrage, but it is also a political crime of the highest magnitude. There is very little belief in Nigeria that that murder was not committed at the behest of the authorities.

The murder—or so-called judicial execution—of Ken Saro Wiwa and his fellow Ogonis last year prompted the Commonwealth to take action. We ought not to have sat back this week and said, "It doesn't matter" because it does. The Nigerian Government are now insisting that when political parties form—even in a country as big as Nigeria—they must have a membership of 1 million people, and they must pass various regional tests. No political party in Britain proportionately would be able to match that test, and the result would be that we would all have to disinvent ourselves.

We also know that the civil rights of the population of Nigeria are honoured in the breach. The Commonwealth ministerial action group stated that both sides—that is the Nigerian Government and the action group—had constructive dialogue that needed to continue. That says something, or it says nothing. On the one hand, the Canadians went home in disgust and imposed their own sanctions, as they could not accept the conclusions suggested by, I am sorry to say, the British Government among others. Sir Sonny Ramphal, the former Secretary-General of the Commonwealth, made clear that he was embarrassed by the Commonwealth's inaction on

[Mr. Lloyd]

this occasion, and talked about the need for more serious action and to examine oil sanctions against Nigeria—something for which my party has called for some time. We must examine the case for real sanctions against the Nigerian Government.

If the Commonwealth is to become the vision of the new world that we all want—a world where the democracy and human rights standards that we enshrine are practised around the world—it must play its role with a sense of purpose. If we cannot take tough action against Nigeria by introducing economic embargoes or by taking action against the brutal people of the military regime, the Commonwealth will fail the test it sets itself. In doing so, it will fail not people in Britain, but people of good will throughout the world and the victims of brutal regimes that we could affect if we had that sense of purpose.

6.45 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): I am sorry that I do not have long to comment on this important, well-informed and often passionate debate. The Government warmly welcome the report and, as my right hon. and learned Friend the Foreign Secretary stated in his observations, we share its central conclusion—that in an increasingly global political system, the Commonwealth has great present and potential value for all its members. I pay tribute to the members of the Foreign Affairs Select Committee, to my right hon. Friend the Member for Guildford (Sir D. Howell)—the Chairman of the Committee—and to the officers and officials of the Commonwealth Parliamentary Association in the United Kingdom and abroad.

I wish to emphasise two points early in my speech. In terms of the history and the size of our contribution and the importance of the Commonwealth links to the UK, it is perhaps understandable that there are those who think that Britain is in charge of the Commonwealth. That is simply not so. It is no longer the British Commonwealth, and we cannot and should not allow it to serve an exclusive British interest. There is no senior member, and we all have an equal place around the table.

As the Commonwealth covers 53 countries and more than a quarter of the world's population, and because at its Heads of Government conference every two years it pronounces on all international issues, it is a uniquely important body. There is, therefore, the danger of overestimating what it can do. But the Commonwealth is not a treaty. It is a voluntary organisation from which some members have chosen to leave and which some countries who are eligible have chosen not to join. It has no military or defence personality, nor does it now have any supranational economic authority.

We must look at the Commonwealth with a sense of realism and proportion, as that is vital. Far from leading us to a conclusion that the Commonwealth does not have a distinctive role, it should help us to identify precisely what the role is. I would like to say a word first for Britain and then for the other Commonwealth members. For Britain, there is great value in being a member of the Commonwealth. It provides a special nature in our bilateral relations with 52 other countries, and this asset is worth preserving and working hard at. Secondly, Commonwealth links in education, law and economic policy all contribute to making the global international state system more stable and, through that stability, more prosperous.

We should not ignore the argument—as some may choose to do—that as more Commonwealth countries become more prosperous, the common language and a host of other affinities that have grown over hundreds of years can be translated into valuable investment and trade opportunities. Those trade opportunities are not just of benefit to us, but to the reciprocal countries. We must help them—as we do, for instance, through the Commonwealth Development Corporation—to increase their prosperity. To ignore our prosperity ignores prosperity and progress for them.

Britain's central and pivotal role in the Commonwealth gives us a special influence for reform through discussion with 52 other countries and, indeed, they have a special influence over us. As I said earlier, no country has to belong to the Commonwealth. No President or Prime Minister is obliged to attend the two-yearly Commonwealth Heads of Government conference in person. If the Commonwealth is to remain an asset, it must be seen to be valuable by all its members. I believe that by the vast majority it is. In practice, this means that Britain cannot expect to table proposals that accord with British interest and simply see them adopted ipso facto as Commonwealth views. That was clear from the discussions on nuclear testing in the Pacific at the last CHOGM in New Zealand and no doubt it will be the case again, but at the same time, as we have done on global trade issues in the past 10 years and ways of tackling the heavy debt burden of several Commonwealth countries, we can get our point across and have it endorsed. We can use that to advance international negotiations in a way that we favour, but only provided that we show a sensitive concern for the priorities and anxieties of fellow Commonwealth members.

As we have set out in the Government's reply to the Select Committee's report, our record since the new Commonwealth context emerged in 1990 is a creditable one. The Harare declaration, the encouragement of multi-party elections, the promotion of high human rights standards by Governments, a strong stance against military government, and an imaginative programme of Commonwealth help to countries trying to re-establish democratic accountable civilian government are all laudable. The establishment in Auckland last November of the Commonwealth ministerial action group to monitor Commonwealth member Governments' consistency and compliance with the Harare declaration has been a success, although the greater successes are yet to be seen. Britain has been at the forefront, if not the instigator, in most of those developments.

We have also used our bilateral relationships with Commonwealth countries to good effect by keeping in close touch with other countries. That is important to us when problems arise, as they must from time to time. We have improved relationships with all our peoples. We have put a huge effort in the past five years or more into our relations with India. They are now closer and more useful on virtually every front. As the Government's reply to the report describes, we are putting a major effort into revamping our links with Australia and New Zealand. The value and depth of our relations and the deep contribution that we make to each other are not always recognised today. I believe that through these programmes we will make progress and renew our links.

The Commonwealth multilateral link provides a canopy for our relations, but it is not a substitute for the hard and imaginative work required to translate those links into closer and more beneficial relations.

Mrs. Dunwoody: Will the Minister give way?

Mr. Hanley: I will give way to the hon. Lady, but I have been left very little time.

Mrs. Dunwoody: The Minister struggles through the canopy of cliche. Is he thinking of referring to the report?

Mr. Hanley: If the hon. Lady had not opened her mouth at that moment, I would have come immediately to the report, but there we are. I know that a little dig is common from that quarter.

I am a passionate fan of the Commonwealth. I was an elected member of the Commonwealth Parliamentary Association United Kingdom executive body. I will do all that I can to ensure that Commonwealth relationships increase and improve.

Recommendations 5, 6, 7, 9 and 10 in the report are on trade. Trade is one element in the bilateral relationship between the United Kingdom and all countries, including our Commonwealth partners. Senior officials from the Foreign and Commonwealth Office and the Department of Trade and Industry are directly responsible for pushing those relationships. We have teams in the United Kingdom and overseas dedicated to promoting bilateral trade with the Commonwealth. Those officials ensure that we make the best use of our Commonwealth ties, but not solely for our benefit, as I have said before. It is for the mutual benefit of all our people. That is not a cliché.

We will continue to negotiate for Commonwealth countries generous access to the European Union single market whenever we can. We push forward their views when formulating our policy in EU trade negotiations.

Mr. Nigel Spearing (Newham, South): There was a Commonwealth sugar agreement. It is carried on to some extent in Lomé. Will the Minister remind his colleagues in the European Union that the same principles of universal trade might well apply in some way to banana traffic?

Mr. Hanley: That is an important issue for many countries in the West Indies. I will certainly pass on the hon. Gentleman's comments.

We most certainly have not forgotten that we are, as my right hon. and noble Friend the Minister for Overseas Development said, one of 15 and one of 53. My right hon. and noble Friend mentioned that in her evidence to the Committee.

Recommendations 32 to 39 are on Nigeria. We have seen just this week at the meeting of the Commonwealth ministerial action group how the Commonwealth can play a very active role in promoting democracy and protecting human rights. The third meeting of the CMAG was attended by my right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs and my right hon. and noble Friend the Minister for Overseas Development. They expressed the Commonwealth's displeasure at recent events in Nigeria. We hope that that will pave the way for further progress towards meeting the Harare principles.

Mr. Tony Lloyd: Will the Minister give way?

Mr. Hanley: No. I am sorry. We have set down a clear timetable and a clear time scale for action. If there is not progress by the meeting in September, further action will certainly be taken. All other matters are still being considered, both with our colleagues in the United Nations and in the European Union. The Commonwealth is not alone in this matter.

Recommendation 42 is on the Commonwealth Parliamentary Association. We warmly welcome the Select Committee's support for the work of the CPA and we have emphasised that in our reply. Its work produces excellent results. The high commissioners from our overseas posts have frequently mentioned to me how much both they and their host Governments welcome these exchanges. I am sure that many of the hon. Members here will also know, from personal experience, just how right they are.

Recommendation 50 is on Commonwealth membership for Cameroon. We have taken careful note of the Committee's comments on admitting Cameroon to the Commonwealth. We accepted, with our other Commonwealth partners, that significant progress had been made by Cameroon towards meeting the principles of the Harare declaration. Commonwealth membership will further advance those efforts and the great pool of experience and advice that comes from being a Commonwealth member can only be good for Cameroon's development.

Recommendations 52 to 59 deal with the role of the Commonwealth now. We agree with the conclusions of the report that

"the Commonwealth is acquiring a new significance in a rapidly transforming world and that United Kingdom policy-makers should bring this major change to the forefront of their thinking."

That sums up fairly well the findings of the Committee. The days of disagreements over the problems in South Africa are now well behind us and we have now entered a new and exciting time for Commonwealth relations.

Recommendation 60 is on the FCO and the Commonwealth. I can assure right hon. and hon. Members that the FCO continues to place high importance on the Commonwealth within the workings of the office. The Select Committee's suggestion of separate objectives for the Commonwealth in the FCO's annual mission statement is well taken. The changing role of the Commonwealth needs to be reflected in the way in which we look at it. The Select Committee has helped us to see a number of new linkages and for that I am grateful.

The British Council now serves in 229 posts in 109 countries. When the Government came to office it served in 108 posts—we have more than doubled the record—and in 79 countries—we now serve in 30 more. There have been no post closures due to the efficiencies that the Treasury has required of us in this last year.

The World Service reaches more people than ever in its history at this moment—140 million. That is a record of success. It is wrong to say that the imposition of efficiency requirements has decimated the service. As for

[Mr. Hanley]

the reorganisation of the World Service, that is a matter for the BBC. It has agreed to continue to ensure that our role and our essential requirements are maintained.

The introduction to the report of the Select Committee on Foreign Affairs notes that the Commonwealth is in a period of rapid change and is today operating in a vastly altered international context. The Government fully agree with this. Who could not? Events in recent years, notably the resolution of the problems in South Africa mean that we have taken a fresh look.

In recognition of the changes that have taken place, we have for the first time in 20 years invited Commonwealth Heads of Government to meet in our country. The Heads of Government conference in Edinburgh in October next year is an opportunity for us to show our support for the Commonwealth as an association. The conference will, as ever, be a chance to discuss with fellow members the many issues that are important to us all. They include the role that industry can play in economic development; the role of investment, both local and overseas, in promoting economic growth; and what Commonwealth voluntary organisations can do to make the lives of the citizens of our countries, especially those suffering deprivation, more rewarding and humane.

There is much work to do and the Government are eager to take it forward. Commonwealth officials will meet in London in October to discuss the agenda and arrangements for next year's conference. I hope that the conference will enable the Commonwealth to set its agenda for the challenging years ahead. The FAC's report has been a valuable component in the Government's thinking. I am sure that we will draw heavily on its ideas well into the future. The Government thank the Committee for its excellent work and the House for this debate.

It being Seven o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to Order [21 June], to put the Questions necessary to dispose of proceedings.*

ESTIMATES, 1996-97

Class II, Vote 1

Resolved,

That a sum not exceeding £343,886,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office on its salaries, building and other accommodation services, and administration and those of HM Diplomatic Service, official information services, sundry services and loans and payments in connection with catering services.

Class II, Vote 2

Resolved,

That a sum not exceeding £113,862,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office on grants and subscriptions etc to certain international organisations, contributions in respect of international peacekeeping forces, special payments and assistance, scholarships, military aid and sundry other grants and services.

Class II, Vote 3

Resolved,

That a sum not exceeding £90,870,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office on payments to the British Broadcasting Corporation for external radio broadcasting and monitoring services and for contractual services in connection with FCO relay stations.

Class II, Vote 4

Resolved,

That a sum not exceeding £53,824,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office on the British Council.

Class II, Vote 5

Resolved,

That a sum not exceeding £799,755,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 1997 for expenditure by the Foreign and Commonwealth Office: Overseas Development Administration under the Overseas Development and Co-operation Act 1980 on the United Kingdom overseas aid; including financial and technical assistance to governments, institutions, voluntary agencies and individuals; capital and other subscriptions and contributions, including payments under guarantee, to multilateral development banks and other international and regional bodies; emergency, refugee and other relief assistance; pensions and allowances in respect of overseas service including contributions to pension funds (including payments under the Overseas Pensions Act 1973, and grants in lieu of pensions); and on global environment assistance; loans to the Commonwealth Development Corporation under the Commonwealth Development Corporation Acts 1978-1995; expenditure on the Turkey Ankara Metro mixed credit Aid and Trade provision project; payments to Crown Agents under the authority of the Crown Agents Act 1995; costs in connection with privatising Crown Agents and the Natural Resources Institute; running costs, related capital expenditure and other administrative costs including for the Natural Resources Institute (an executive agency); and payments (under the authority of the European Communities Act 1972) to certain beneficiaries of the Gibraltar Social Insurance Fund.

Under the Resolution of the House of 18th June and the Order of the House of 21st June, these Estimates are to be considered in so far as they relate to the future role of the Commonwealth, and any Questions necessary to dispose of proceedings on the five Motions in the name of Mr. Michael Jack will be put not later than Seven o'clock.

The First Report of the Foreign Affairs Committee, Session 1995-96, on the future role of the Commonwealth (House of Commons Paper No. 45-I), the Government's Observations thereon (Cm. 3303) and the Government's Expenditure Plans 1996-97 to 1998-99 Foreign and Commonwealth Office including Overseas Development Administration (Cm. 3203)

Gospel Oak-Barking Line

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

7 pm

Mr. Neil Gerrard (Walthamstow): I am pleased to have the opportunity to discuss investment in the Gospel Oak to Barking line. The Minister knows about the line's problems. If he did not know, I am sure that the hon. Member for Epping Forest (Mr. Norris) has related his experiences when he visited the line last year. It lived up to its reputation. The train was cancelled and we spent 45 minutes waiting on a cold platform for the next train, which came only because the train going in the opposite direction was stopped short of its destination to come back and pick us up.

The line has enormous potential. It could be part of an outer north London orbital route. It could provide easy journeys between points that are difficult to reach by other forms of public transport. Everyone agrees that it is grossly underused because of the serious reliability problems. No one has suggested that the line is valueless; it could be a useful service. The trouble is that people have been saying that for 20 if not 25 years, but little has changed. I suspect that the service is poorer now than it was 20 or 25 years ago. I will not repeat the graphic description of the line given by hon. Member for Epping as that would be to use unparliamentary language.

The consequences of the lack of investment are felt in the service. In charter period 54, there were 210 cancellations out of 968 services. In charter period 56, there were 284 out of 1,209. In both periods, the cancellation rate was more than 20 per cent. The cancellations are caused mainly by rolling stock and infrastructure failures. I shall discuss that and the investment decisions on them.

The line has had aged rolling stock since the decision in the early 1960s not to electrify. There was a short period when some new diesel units were used but that did not work terribly well. Apart from that, it has always had cast-offs from other lines. As other lines were electrified or improved, the cast-off diesel units went to this line. The present units are more than 30 years old. In the longer term, we will need new, modern, reliable trains.

Some immediate questions need to be considered. The lease on the existing units will soon run out and their failure rates suggest that they may be beyond redemption. I understand that North London Railways is considering using class 141 diesel units, which are cast-offs from west Yorkshire. That may be a short-term answer, but I have some doubts about it. They would need major refurbishment before they could be remotely regarded as reliable. There is no commitment to provide the money for that. Many people feel that they would be unsuitable because they have a smaller capacity. Shortage of space for prams and bicycles is a problem.

Recently, under the Government's cycle challenge scheme, £79,000 was awarded to improve cycle-rail integration on the line. That involved cutting cycle channels on station stairways to allow people to get bicycles on and off trains. The trouble is that Railtrack is being obstructive about reaching agreements on their installation. It is demanding all sorts of guarantees from local authorities and asking them to take responsibility for accidents, compensation and the maintenance of the channels. Those problems are largely the result of Railtrack having to draw up new leases with the various users of the line.

It is likely that some of that £79,000 will not be spent because of the difficulties in getting agreement between local authorities and Railtrack. It would be helpful if the Minister could examine that problem to discover whether anything can be done to resolve it. It is ludicrous that the Government have agreed to spend the money but that it is not being spent.

What are the responsibilities of the rolling stock leasing companies for such lines? Is there a formal requirement for them to supply suitable rolling stock? Are their activities in any way subject to the scrutiny of the Rail Regulator? If not, should that be considered?

There are several hundred bridges and viaducts in a surprisingly short distance on the line, which is largely built on them. The bridge across the River Lea on the edge of my constituency is so weak that two trains cannot be allowed on it at the same time. That problem is compounded by the outdated signalling. Because the signal box at Leytonstone was taken away, there are no signals between Wanstead park and the bridge. If a freight train is sent along the line, it has to be held at Wanstead park until the whole track is clear through to the Lea valley. That causes enormous disruption to passenger services, which run only once every half an hour.

Those long gaps have implications for safety. I am sure that the Minister will recall the crash at Wanstead park in 1995. A freight train had to be held there as there was nowhere else, other than the weak bridge that it had to cross further along the line, for it to be held. As a result of an error at the previous station on the line—Woodgrange park—there was a crash at Wanstead park. If there had been modern signalling or if the there had still been a signal box at Leytonstone, that crash might have been avoided.

If the Minister has travelled on the line, he will be aware of the poor condition of most of the stations: they are run down, there are no indicators and there are no staff most of the time. In 1995-96, under the transport policy and programme system, a joint local authority bid won some welcome money from the Government for station improvements on the line worth £200,000. As a result, Leytonstone station was modernised and about a third of the cost was contributed by Railtrack.

In 1996-97, when the local authorities jointly wanted to continue the work and made another bid, it was rejected. There was no money for 1996-97, although some was granted for bridge repairs under objective 2 European regional development funding. None of that money has come through this year. The local authorities have been told that there will be no more funding until a business plan for the line has been agreed.

What does the Minister expect from that business plan? Does he expect and want private sector money to be used in the business plan? If so, I am concerned. I know that the Government want to bring in private sector money and I do not object in principle to private sector money being added to public sector spending, but if there is to be a plan that demands private sector money I am doubtful about where it will come from. I can think of no major firms or developments near any of the stations that it might be possible to persuade to invest private sector

[Mr. Neil Gerrard]

money. I believe that there have been problems on the west London line in attracting the levels of private sector finance that were anticipated.

I hope that we shall not hold up investment in the Gospel Oak to Barking line—thereby stopping money coming in through the TPPs—while we wait for a business plan that proves to be completely unrealistic in its expectations. I am told that Railtrack has some investment plans; it has been suggested that it might be prepared to spend up to £500,000 on one station and significant amounts on other stations, but all that investment seems to be on hold while we wait for the business plan. We need investment now if the line is not to deteriorate further.

Some of my comments have related to the short term and to what can we do to stop the line deteriorating further. Perhaps we need more reliable rolling stock, but if the line is to prosper in the longer term we need to do more. We should not consider it in isolation; we need to consider how it could link to other lines to form an outer north London orbital, which will require electrification and modern trains. That seems to be the only way in which we are likely to achieve a reliable service, with 15-minute intervals between trains, that will attract people to use the line. North London Railways has estimated that it could increase passenger usage by 50 per cent. if the service was reliable, and I suspect that that is an underestimate. Indeed, if we were to link the line with other services and to use more modern trains, that figure would be a gross underestimate.

There is a possibility of investment to provide new stations. In my area, a station at the Baker's Arms at the junction with Lea Bridge road, where there are shops, could be a possibility. I know that other Members with constituencies along the line could suggest other places where new stations and links could usefully be constructed.

It would be helpful if the Minister could give his view on the wider issues. What are the Government's plans for outer north London? We know that the London planning advisory committee still believes that an outer London north orbital route could be useful and that the line could be a useful part of it. It would be helpful to have some encouragement on that. We need to know what the Minister believes can be done to ensure that passengers enjoy something better than they do at present.

Could the regulator be asked to examine what is happening to ensure that Railtrack and the operating companies provide a service? They are certainly not providing a worthwhile service at present. When the Minister considers the issue he should bear in mind that the comments that I have made tonight, that I have seen in writing and that I have heard in speeches over the past year or two have all been made for 20 years or more. People who use the line are getting fed up of hearing the same promises about what might happen in the future. They stop using the line because it does not provide a reliable service and because they do not believe that the necessary investment will be made to provide services.

It is time that we started to take action; otherwise, the line will deteriorate to such an extent that nothing can be done to salvage it. All it needs is for one bridge to collapse in the wrong place and it will be impossible to run services along the length of the line. We should not leave any rail service that could be as useful as this one in that sort of state.

Ms Margaret Hodge (Barking) *rose—*

Mr. Jeremy Corbyn (Islington, North) *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. I notice that two hon. Members are seeking to catch my eye. Do they have the permission of the hon. Member for Walthamstow (Mr. Gerrard) and the Minister to speak?

Mr. Gerrard: Yes, Mr. Deputy Speaker. The Minister has been informed.

Mr. Deputy Speaker: This is essentially the hon. Member for Walthamstow's debate and contributions to it should complement it.

7.17 pm

Mr. Jeremy Corbyn (Islington, North): I should not dream of being anything other than complimentary to my hon. Friend the Member for Walthamstow (Mr. Gerrard), so the suggestion that I would say anything uncomplimentary about him cuts me to the quick and I am sure that it also offends him deeply.

Mr. Deputy Speaker: Order. For the sake of clarification, I should say that by complementary I meant that any further contributions should essentially add to what the hon. Member for Walthamstow has said, and should not be separate speeches.

Mr. Corbyn: I understand, Mr. Deputy Speaker—as in milk in coffee.

I welcome this opportunity to contribute to the debate. My hon. Friends the Members for Walthamstow and for Barking (Ms Hodge) and I have all lived somewhere near the line for a long time. In previous incarnations as members of relevant local authorities, we have all been involved in campaigning about the line. In 25 years, I have never lived more than half a mile away from the Gospel Oak to Barking line—I was closest when I lived just 10 yards away for some time. The line was not too noisy as there was not much traffic on it. In some ways I wish that it had been noisier as that would have shown that it was more frequently used.

Many of us have been involved in campaigning for the line, and, as the Minister will be aware, over the years there have been many questions and early-day motions about the line. It was a frabjous day when we persuaded the Minister for Transport in London to travel on the line. I could not join him on that day; in some ways I am glad that I did not as I have a copy of the letter that the Barking and Gospel Oak line committee sent to him in February, shortly after his visit. It stated:

> "As passengers stood and shivered on decrepit stations waiting for 35 year old decrepit 'Heritage' trains to finally turn up—suffering delays and cancellations just as you did when you visited the line—they might well have found it hard to believe that they were commuters in the capital of a major industrial country nearly at the end of the 20th Century."

It described the line as being run on latter-day Heath Robinson principles. I never saw a copy of the Minister's reply, but I hope that it was full and detailed and that he

remembered his freezing hours on stations on the Barking to Gospel Oak line. He has never been back. While the summer is still with us, I invite the Minister for Railways and Roads to travel with us on the line. We will hope that the train does not break down, but if it does we can show him the sights of north and east London.

In this short debate, we should pay tribute to the Barking and Gospel Oak Line Committee, which for many years, with the support of all the local authorities along the line, has worked to keep the issue before the public and to keep pressure on British Rail, Railtrack and Ministers. I also wish to pay tribute to North London Transport 2000 for the work that it has done to keep the line in the public eye, and to the borough councils, especially to Waltham Forest, which has produced an excellent submission for the Department about investment in the line.

Local people and local organisations recognise and value that beautiful line and the role that it could play in reducing road traffic in the area. Local groups do not have attitudes of deep hostility to British Rail or Railtrack: they wish to work with them and with North London Railways for a better and improved service.

A couple of years ago, the line celebrated its centenary. Historic as it is, it presents a fantastic opportunity for the 21st century if we use some imagination. Anyone who has to travel on the line will, as my hon. Friend the Member for Walthamstow has pointed out, travel in rolling stock that is at least 30 years old. That interests the trainspotter brigade on Sundays—when there is a Sunday service—but is not good for people who use the line to get to work, because the trains frequently break down and that affects the rest of the service.

The other problem with the line is that the connections are not well thought out. For example, I recently travelled to Sudbury, near Ipswich, to address a pensioners' meeting. I live near the Barking to Gospel Oak line, as I have explained, so I decided to take the line to Barking, board a main-line train to Manningtree and then go on to Sudbury. Had I done it that way, the journey would have taken three and a half hours each way because of the lack of connections. It was quicker to go to Liverpool Street and, tragically, it would probably have been even quicker to have driven there.

A lack of imagination in the timetable is only one of the line's problems. The limited connection at Gospel Oak with the North London line is temporarily closed because of the widening of the tunnel under Hampstead heath. With a bit of imaginative investment in the signalling system, trains could run more frequently on the Barking to Gospel Oak line; through trains could run to Watford, Willesden and round the west London link to Battersea; trains could run directly into King's Cross and Liverpool street; and a whole range of services could be available.

My hon. Friend the Member for Walthamstow has rightly drawn attention to the need for investment in the bridges along the line, the rolling stock and the track bed. I suggest that substantial investment in signalling could lead to a massive increase in potential usage of the line.

My constituency contains two of the line's stations. One is Crouch Hill, which is an attractive station with a country station atmosphere. The problem is that when the station is unstaffed early in the morning and late at night, people simply do not feel safe because they may have to wait an hour if a train is cancelled or if they miss the half-hourly connection. The other station, Upper Holloway, is just below a busy main road, which is usually clogged with traffic—today was a classic example—with one person in every car while there are empty rail lines all around. That station is not well kept: it is dirty, damaged and covered in graffiti. People do not feel safe standing on the platform to wait for a train. Staffed stations might cost money initially, but it would be recouped in no time at all because passengers would feel safe using them.

My hon. Friend the Member for Walthamstow mentioned the possibility of new stations. Islington borough council, with Waltham Forest and others, has consistently argued for new stations on better sites that are better managed all along the line. I feel strongly about the possibility of a new station at Tufnell Park. It would be simple to build and there is plenty of space alongside Junction road about 200 yd from Tufnell Park station on the Northern line of the underground. A connection to the underground would be very valuable, because the Barking to Gospel Oak line has few connections, apart from Blackhorse road, with the underground system.

As well as the safety of stations, we should consider the question of accessibility. Stations have no lifts or escalators and no thought has been given to wheelchair access. Access for someone with a bicycle or carrying children poses the same problems. I recognise that it would take a big programme to make all the stations accessible, but we should start somewhere by converting the stations that would be easy to convert and by ensuring that new stations are completely accessible.

My hon. Friend the Member for Walthamstow mentioned the need for new trains on the line. The experience of the Barking to Gospel Oak line mirrors that of a country railway in the 1960s. The main line gets diesel trains and electrification and the small country line gets a parade of fantastic steam engines for a few years before it is scrapped. The Barking to Gospel Oak line carries the history of commuter railway trains because they are handed down, as clothes are handed down in a family. Why cannot we have new trains and an electrified line? We should use some imagination, get cars off the roads and get people and freight on to the railways.

I fear that rail privatisation will mean a general lack of investment, interest and concern in the future of the line. Some people believe that the authorities are waiting for a bridge to collapse or a major accident to happen so that they can close the line. It has been suggested that the line should become a light rail line, but I would be cautious about that. It would remove the possibility of using the line for heavy freight, as a freight bypass or as a feeder line for the main-line system.

I invite the Minister to come on a journey along the line while the weather is nice. He will enjoy it and we will show him the sights. He can then put pressure on for real investment to make the line of real value to everybody in north London.

7.28 pm

Ms Margaret Hodge (Barking): I compliment my hon. Friend the Member for Walthamstow (Mr. Gerrard) on securing the debate and I hope that my contribution will complement his. I have an important constituency interest in the line and I am grateful to my hon. Friend for an opportunity to share with the House the intolerable

[Ms Margaret Hodge]

suffering that my constituents and other regular users of the line have to endure. I also have a personal interest because I live near the line, like my hon. Friend the Member for Islington, North (Mr. Corbyn), and my children use the line, when they can, to get to school.

The plight of the Barking to Gospel Oak line was brought to my attention at the turn of the year because my postbag was full of complaints about the poor service. For that reason, on Valentine's day, I led a delegation of local people and user groups to the Department of Transport to present the Minister for Transport in London, the hon. Member for Epping Forest (Mr. Norris) with some special Valentine cards. The Valentine cards did not—despite his reputation to the contrary—express undying affection for the Minister, for his politics or for his policies. The cards asked him to ensure that passengers had a regular and reliable service. For a Valentine's wish, that was rather restrained. Alas, despite this event and despite my correspondence with the Minister, the future for the line still looks bleak.

The accolade "the misery line" has long been granted to the London-Tilbury-Southend service, which is the other line that runs through Barking—I believe that the Department of Transport has it in for Barking—but the Barking to Gospel Oak line appears to be vying for that undesirable title. For example, in 1995, one in 15 of the trains was cancelled. In December 1995, almost one in five trains was cancelled.

My hon. Friend the Member for Walthamstow referred to the passenger charter period. In March to April, almost one in four trains was cancelled. I shall compare that with other lines. For example, in the four weeks ending 29 March—a slightly different period—one in 100 trains was cancelled on the Thameslink service, which is another London service.

I am not talking about the odd late train or even one or two cancellations on the Barking to Gospel Oak line; I am talking about a complete and utter breakdown of the service. It is a tragedy; a comedy of errors; a complete farce. It seems that the Barking to Gospel Oak line is being deliberately run down. Why else is the service using 36-year-old diesels? So great is the state of disrepair that the trains are actually rotting. For example, on 5 February, coach No. 51400 had to be closed—while the train was in service—because it developed a hole. Can hon. Members imagine running a train with a coach that is so rotten that it is dangerous? It was probably wise to close the coach, but what a way to run a service. That example clearly demonstrates the lack of investment in, and the downright shoddy state of, the service.

However, the service need not be like this. The line fulfils a vital function, both in its place in the local transport system and in the overall wider London transport infrastructure. In fact, some of the journeys possible on the line by other means could take significantly longer—perhaps up to an hour longer. Alternative ways of reaching certain destinations by public transport could also involve numerous changes between buses and tubes—which could put many people off making their journeys by public transport.

As has already been pointed out, the line feeds into other lines and other routes. The most imaginative scheme was put forward in 1975 by the London rail study group—the same plan detailed the original proposals for Thameslink and cross-rail. The plan suggested linking several routes—including the Gospel Oak to Barking line and the West London line to give a through route from Clapham to Barking. However, despite the low initial set-up costs, the plan never came to fruition.

The same fate befell the proposed electrification of the line in 1955. Frankly, it is unforgivable that the line has been neglected for so long. Despite the neglect and the problems, my constituents continue to use the line—for many, it remains the only means of travel. I refer to Miss Katy Andrews—who does not own a car—who lost her job because the train service between Blackhorse Road and Upper Holloway was so unreliable that she was late for work too often.

I hope that tonight the Minister will take the opportunity to state his views on the status of the Barking to Gospel Oak line. My constituents need answers from the Government. If the Government are truly committed to public transport, they will guarantee the improvements to the service. It is not acceptable for the Government to pass the buck to the operators, North London Railways. The Government must provide direction, commitment and support. North London Railways stated in a letter that I have in my possession:

> "Performance on this route has indeed been extremely poor over the past two months . . . The rolling stock is . . . some 35 years old and as such requires a very great deal of attention if it is to maintain anything like an acceptable level of reliability."

The letter also confirms that North London Railways is looking to replace the stock in April 1998. That wait is unacceptable to me, to my constituents and to the users of the line. Does the Minister think that it is acceptable?

I must confess that I have learnt that there might be some replacement trains before 1998. However, perhaps I am misleading the House by calling them trains—at best, they are a stop-gap measure. Ten class 141 units—basically a Leyland bus body on a rail chassis—will be making their way on to the Barking to Gospel Oak line at some time in the near future. Far from causing jubilation among the users, my constituents and the user groups who are fighting for the line, many feel that these smaller trains are unsuitable because of the insufficient capacity for peak times. Also, these buses—not train carriages—have no space for prams or bicycles. In addition, the class 141 units appear to require major works mechanically and internally before they are properly fit for use. As I understand it, the owners—the rail stock operating company is Porterbrook Leasing—have not made a commitment to improve the trains without a contract from the train operator.

I believe that to foist these so-called trains on passengers is cruel and unfair, given the plethora of problems that they have already been forced to endure. The use of so-called trains, cobbled together from buses, is symptomatic of the Government's approach to the railways. They do not care that train services are being run down by stealth under the dogma of their privatisation plans. Bus consortiums are winning train contracts and, in the end, it is likely that buses will ferry passengers along the routes once serviced by trains.

What guidance will the Minister be issuing to North London Railways in relation to renewing the rolling stock? Or will he wash his hands of his responsibilities and let the suffering continue? If the Government were

truly committed to public transport, it would guarantee improvements to the stations and to the track. My hon. Friend the Member for Walthamstow has already referred to the £200,000 of TTP money that was allocated for improvements for 1995-96. Why has no money been allocated for the current financial year? The Minister sent me a letter in March, in which he stated:

"A significant feature of the settlement was that it has to be arrived at during a period of severe restraint on public expenditure, with consequential pressure on the available funds . . . Given the overall funding pressures . . . we felt that it could not be supported in 1996-97 against competing bids."

The Minister must admit that something is wrong. The excuse that these necessary and vital improvements are ignored because the pool is insufficient demonstrates, beyond doubt, the long-term neglect of the Government in relation to investment in essential infrastructure projects. What a dreadful legacy to leave for a future Labour Government.

However, it is not only the stations and the rolling stock that are past their sell-by date and in need of urgent overhaul—rather like the Conservative Government, the tracks and the bridges are falling apart.

Mr. Deputy Speaker: Order. With the greatest respect, it is not the hon. Lady's Adjournment debate but that of the hon. Member for Walthamstow (Mr. Gerrard). He has already given the House the benefit of his experience, which was supplemented by the hon. Member for Islington, North (Mr. Corbyn). It is not acceptable that the hon. Lady's speech should run the risk of being longer than the original speech.

Ms Hodge: I take your point, Mr. Deputy Speaker, that my speech should not be longer than the original Adjournment speech. I have been keeping my eye on the clock to ensure that I stay within the timeframe and I assure you that I shall do so.

If the Government are serious about their commitment to public transport, the Minister must make a commitment to the long-term future of the line. In a letter to me of 17 May, the hon. Member for Epping Forest said that the franchising director would look at aspects of the long-term replacement of rolling stock when bids were invited for the North London Railway franchise. He assumed that they would be based on an increase in freight traffic. What is the basis of his assumption that there will be an increase in freight traffic?

Tonight's debate has given my hon. Friend the Member for Walthamstow and other local Members of Parliament like me the opportunity to express the anger and widespread and serious concerns of those who depend on the line to go to work, to visit their families and to travel easily across that part of the capital. The Government have let the line decay, but it must not be allowed to die. If the Minister does not promise specific action in his response tonight, the people who use the Barking-Gospel Oak line will demonstrate their anger through the ballot box. That cannot happen too soon.

7.41 pm

The Minister for Railways and Roads (Mr. John Watts): I thank the hon. Member for Walthamstow (Mr. Gerrard) for raising on the Floor of the House the issue of investment in the Barking-Gospel Oak line. I am also grateful for the contributions of the hon. Members for Islington, North (Mr. Corbyn) and for Barking (Ms Hodge). I shall accept their kind invitations to visit the line—particularly as I am now aware of its importance in conveying the hon. Lady from her home to her constituency. My hon. Friend the Member for Epping Forest (Mr. Norris) has a pressing engagement out of London, but I could not pass comment on whether there is any connection between that engagement and his recollections of his visit.

The line clearly has other supporters, such as the Gospel Oak to Barking Line Improvement Now Group—which sent the valentine cards to my hon. Friend—and London First. It is also clear that the present state of the line and the reliability of its services worry many people—a good number of whom were prompted to send about 700 valentine cards to my hon. Friend earlier this year. The cards asked for a 15-minute reliable train service every day throughout the year, with a good information system. That sounds a simple request, but the answers are more complex than the question implies.

Services on the line are provided by North London Railways. The line's infrastructure and its rolling stock are extremely old. The route is carried predominantly on viaducts and bridges—I am told that there are 467 bridges between South Tottenham and Woodgrange Park stations alone. The bridges carrying the line over the River Lea require the most urgent attention and currently a speed limit is imposed on all trains travelling over that section of track.

There are also limitations—which have been described tonight—on the line due to old signalling and the lack of intermediate signalling between South Tottenham and Woodgrange Park stations. That means that a train cannot enter that section until the preceding train has left it. The journey time over that section is 19 minutes, and the implications for train frequency are obvious.

The rolling stock comprises first generation two-car diesel multiple units that are more than 30 years old. Although the train operator has increased the number of units available to run the service in an attempt to improve reliability, cancellations occur all too frequently. Further units will become available from the West London line in the next few months, but a longer-term solution is clearly required and a number of proposals are being considered. North London Railways is discussing with rolling stock companies the possibility of using more modern refurbished units, although it is unlikely that they would be available to enter service on the line before the latter half of 1997. However, that may not be a permanent solution to the problem.

Resources have been sought through both the transport policy and programme mechanism and the European regional development fund regime. As the hon. Member for Walthamstow said, there was a successful bid in 1995-96 which contributed £200,000. It was announced when my hon. Friend visited the line on 15 December 1994. However, as the hon. Lady said, bids for TPP resources are competitive and my Department must make a judgment about which bids offer the best value for money. I am not surprised—in view of my local government background—that local authorities can propose many more good projects on which to base bids than we can afford to fund.

The London borough of Waltham Forest has also submitted bids under the ERDF regime seeking £176,500 for a bridge strengthening programme and a feasibility

[Mr. John Watts]

study. That bid was assessed against both the overall ERDF public transport objectives and the other bids competing for resources. Although the bid was within the "acceptable" category, once again there were insufficient resources available globally to enable the bid to succeed. No further bids have been made.

The Government office for London has advised about the need for a business case or plan that will establish the line's problems and opportunities—I think that the problems are clearly understood and have been described well tonight. It is important to identify also the opportunities that will be a prerequisite for any future investment decisions. The opportunities that the line offers and its potential for connecting services to other parts of the network mentioned during the debate are a helpful start.

So much for the history of the line, but what does the future hold? I do not share Opposition Members' pessimism that privatisation has nothing to contribute—quite the contrary. I believe that privatisation of the railway offers a new future for this line and for other lines where we have successfully franchised services.

As to infrastructure, Railtrack has told us that it believes that the line offers a number of exciting opportunities for future development. Unlike British Rail before it, Railtrack is able to undertake the necessary long-term planning with confidence. Investment decisions about rail infrastructure are no longer prey to the vagaries of the annual public expenditure settlement. The financing of investment programmes has been moved from that environment into the more dynamic environment of private financial markets. Decisions can now be taken on a commercial basis to improve services. I hope that this line will benefit and, in that context, the development of a business plan for the line is important. I shall return to that point in a moment.

As for the train operators, the privatisation process through franchising will also bring benefits for railway users, not just on this line but more widely too. There is for the first time a contractually guaranteed level of train services that will guarantee the future of every line and station on the network. So I think that hon. Members will see, when the franchise is let, that the stations on the line and the continued operation of services over it will be secured contractually by the agreement into which the operator will enter with the franchising director.

The passenger service requirement, which covers areas of particular interest to passengers—the frequency of trains, the stations they serve, journey times, first and last trains and weekend services—is drawn up against the background of an unprecedented amount of consultation with the users of services, with passenger representatives, and with local authorities having an opportunity to comment on the services that they would like operators to provide.

Moreover, many franchisees have committed themselves to providing improvements beyond the specified level—for instance, their contracts with the franchising director have included commitments to provide new or enhanced services and new or refurbished rolling stock. When assessing bids for a franchise, the franchising director is instructed to take account of any offers of contractual improvements to service level or quality that go beyond the specification. Only this week there has been a successful bid for Chiltern, including new rolling stock and the provision of security at 11 major stations. That will make passengers feel more secure, in the way that has been called for. There will be 50 secure cycle ranks at Marylebone station and 250 at other stations on the network, to facilitate rail-cycle journeys. Both on Chiltern and on LTS, new rolling stock has been provided as part of the package, and there has been a proposal for a new station at West Ham by the LTS franchisee.

The Office of Passenger Rail Franchising will shortly be developing the draft passenger service requirement for NLR. It will set out the contractual requirements for the services to be provided. It is clearly important, in following the guidance, that the PSR should be based closely on current service levels, and that the depressed level of patronage that has arisen from the reliability problems should not be taken as the base. I understand from the franchising director that the PSR will be set on the basis of an expected increase in patronage following the completion of the engineering works that currently so adversely affect the operation of this service. Consultation will then take place with the official consultees.

On 11 June, the franchising director invited applications to pre-qualify to receive an invitation to tender for this franchise. The deadline for applications is 12 July. It is expected that an ITT will be issued later this year, and that the franchise will be transferred to a private operator in the early part of 1997.

The question of investment in the line was raised early this year at a meeting of the London consultative committee chaired by my hon. Friend the Minister for Transport in London. As a result, a meeting is shortly to be held between the Government office for London, representatives of the boroughs, the ALG, London First, Railtrack and North London Railways, to discuss future funding options for the route. It is in that context that a business plan for the line becomes so necessary.

We have told the boroughs and others that both the ERDF bid and the 1996-97 TPP package bid, in highlighting the need for a feasibility study for the line, drew attention to the need to take a hard look at the economic justification for investment. Officials in the Government office will endeavour to play a full and useful part in the development of the business plan and in identifying the means by which it can be funded.

The hon. Member for Islington, North asked about the provision of facilities for cycle users. I shall make further inquiries into the matter and write to him—

Mr. Corbyn: And the disabled.

Mr. Watts: Indeed. I will also copy the letter to other hon. Members who have taken part in the debate.

I have spoken about the line's history and its current problems which reflect the low priority that has been given to this line while in the public sector. I believe that its transformation in the private sector, through the franchising process and because of the successful privatisation of Railtrack, will deliver a brighter future for the Barking to Gospel Oak line. I look forward to arranging a visit at a fairly early date, when I shall be delighted to be shown the problems facing hon. Members' constituents.

Question put and agreed to.

Adjourned accordingly at seven minutes to Eight o'clock.

House of Commons

Monday 1 July 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

NATIONAL HERITAGE

Volunteering

1. **Mr. Brazier:** To ask the Secretary of State for National Heritage when she last met representatives of the voluntary sector to discuss volunteering. [33658]

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): Since taking over responsibility for volunteering, I have been meeting a range of people to discuss volunteering, both in the key national voluntary organisations and in local volunteer bureaux. We have a strong tradition of volunteering in the United Kingdom. It is an enormously worthwhile activity, enabling individuals of all ages to contribute positively to the communities in which they live. I am looking forward to building on that important tradition to encourage more varied and challenging opportunities for volunteering, especially among the young.

Mr. Brazier: I welcome my right hon. Friend's answer. Will she join me in supporting the splendid work of the cadet movement, which brings discipline, commitment and leadership to many young people throughout the country? I welcome the fact that the national lottery has dispensed grants to 14 cadet units to enable them to improve their training centres. Does my right hon. Friend have any advice to offer other cadet units that are seeking funding in that way?

Mrs. Bottomley: I share my hon. Friend's endorsement of the cadet movement and of the volunteers who devote so much time to bringing up the next generation and encouraging young people to take a responsible role in society. Involvement in worthwhile activities is one of the best ways of building the citizens of the next century and there is no doubt that the national lottery is making many more opportunities available.

Mr. Alan Howarth: Does the Secretary of State agree that a great deal more drive and coherence is needed in the promotion of volunteering? Will she issue guidance to local authorities to encourage them to think strategically about the involvement of volunteers across the range of their responsibilities? Will she also do all that she can to ensure that local authorities have the resources available to them to support volunteers and to promote good practice?

Mrs. Bottomley: Something like 23 million people—or one in two adults—are involved in volunteering each year. I believe that there is great untapped potential and I shall certainly take up the hon. Gentleman's ideas in carrying forward my new responsibilities. I intend to chair the interministerial group on volunteering and part of its work will be to ensure that local authorities are fully committed to the use of a maximum number of volunteers where appropriate.

Mr. Rowe: Has my right hon. Friend inherited the commitment made by the Home Secretary that every young person who wishes it shall have an opportunity to volunteer? If she has, will she assure us that she is going flat out to make that possible? Will she also tell the House whether she is making progress in negotiations about benefit entitlements to young people which often make it difficult for them to become involved in volunteering?

Mrs. Bottomley: There are a great number of factors involved in promoting volunteering, particularly among the young. Discussions about benefit matters and with schools must be part of that work. I was enormously impressed by Volunteers Week this year. I was delighted that 108 Members of Parliament accepted the Women's Royal Voluntary Service challenge to learn more about its work. I believe that there is further potential and we must make good the commitment to encourage young people to become involved in volunteering and to make it a habit for life.

National Lottery

2. **Mrs. Bridget Prentice:** To ask the Secretary of State for National Heritage what recent discussions she has had with the bodies dispensing national lottery moneys. [33659]

Mrs. Virginia Bottomley: I have regular meetings with the chairmen of the English and United Kingdom distributing bodies.

Mrs. Prentice: Is the Secretary of State aware that she has been extremely reticent in coming to the House to explain how much money the Millennium Commission will spend in Greenwich? Will she now tell the House and the people of Greenwich and of London as a whole how much money will be spent, in what way and who will be involved in making the decisions?

Mrs. Bottomley: I look forward to being able to come to the House to make a further statement to inform colleagues of the details of the Millennium Commission's progress. The funding packages are highly complex and I much appreciate the co-operation of the Labour party and of Greenwich borough council in ensuring that we make progress swiftly and effectively by sorting out the details. I can tell the House how much money has been spent by the national lottery in the hon. Lady's constituency: in Lewisham, 29 awards have been made, amounting to more than £3 million. The lottery is a phenomenal success.

Mr. Fabricant: Is my right hon. Friend aware that the foremost arts festival in England, the Lichfield festival, begins at the end of this week and will last for 10 days?

Is she further aware of how grateful the festival is for the recent award of more than £68,000 for stage and display equipment?

Mrs. Bottomley: I am delighted to share my hon. Friend's endorsement of the Lichfield festival and I especially commend the artistic director, Paul Spicer and the dean and chapter of Lichfield cathedral. The festival brings more people into contact with the Church and brings people together by providing an outlet for creative activities. That £68,000 is only one of 1,245 arts awards, which amount to £483 million since the start of the national lottery.

Dr. John Cunningham: Does the Secretary of State recognise that, although we support the proposed exhibition at Greenwich and we want it to succeed, we feel uncomfortable when we read regular briefings from Sir Peter Levene about the Millennium Commission' activities, but we cannot have full statements in the House? Can the Secretary of State explain why Greenwich borough council is still being excluded from the deliberations when it wants the event to be a success and to make a positive contribution to the raising of private sector funding? Is it the case, as has been suggested in the newspapers, that the life of the Millennium Commission will be extended by one year to give it an extra £250 million to cover the eventual costs of the exhibition? Finally—*[Interruption.]* I make no apology for asking a further question because this is the first opportunity that we have had to ask these important questions and the House is entitled to know. Is it true that funding for regional exhibitions is being reduced to vire resources to the national exhibition at Greenwich?

Mrs. Bottomley: The right hon. Gentleman, like other hon. Members, wants more information about the festival at Greenwich and I hope that I shall be able to write to hon. Members in my role as chairman of the Millennium Commission before the recess. As the right hon. Gentleman will know, a Labour party nominee, Michael Montague, sits on the Millennium Commission and, on all occasions, we have sought to avoid any party political issues. I recognise and accept the collaboration of the Opposition. We are seeking to stage the largest event of its sort anywhere in the world and, inevitably, the financial negotiations are highly complex. The commission took the view that £200 million was an appropriate amount for it to put into the festival. When it became clear that the business case required more funding, we sought the co-operation of the private sector.

My right hon. Friend the Deputy Prime Minister and Sir Peter Levene have had some extremely encouraging meetings, as I have myself. Once the plans are finalised, we will be able to make firm statements. When hon. Members see the full details of the Imagination proposals—I share their impatience—they will share the sense of excitement and exhilaration that members of the commission have felt. The regional festivals are part of the proposals and the majority of flagship projects funded so far by the Millennium Commission are outside London. It is important that all parties of the country share in the millennium.

Mrs. Lait: Can my right hon. Friend confirm that she has no intention of extending lottery funding to replace the Government's funding of education and health, which is in contrast with the report in June's edition of "Lottery Monitor" which says that the Labour party is considering doing so?

Mrs. Bottomley: I can, indeed, reassure my hon. Friend on that point. It is well understood that the Opposition's proposals would betray the principles of additionality. They would betray those who benefit from the lottery as they would increase the operating costs, and they would betray the 30,000 or so retailers who earn about £8,000 a year from their lottery outlet.

Choirs

3. **Mr. Hain:** To ask the Secretary of State for National Heritage what support is available for choirs from (a) her Department and (b) the national lottery. [33660]

The Minister of State, Department of National Heritage (Mr. Iain Sproat): My Department's funding for the arts in England—including choirs—is channelled through the Arts Council of England and the regional arts boards. Choirs are eligible to apply for lottery funding. So far, 13 awards totalling £373,000 have been made by the Arts Councils of England and Wales.

Mr. Hain: My colleagues are inciting me to sing this question, but I shall resist the temptation. Is the Minister aware that Welsh choirs play an important role in their local communities and do a great deal of important charitable work? Neath is a centre of excellence for male-voice choirs and the Minister would be welcome to attend any of their performances and would be given a warm Welsh welcome. May I invite him to Cor Cochion Caerdydd's performance next Wednesday in the Jubilee Room? The fact that it is translated as the Welsh "Reds Choir" may mean that he will find himself otherwise engaged.

Mr. Sproat: I thank the hon. Gentleman for his kind invitation. I know from our previous discussion of the close interest that he takes in the half a dozen choirs in the Neath area. The fact that the Arts Council of Wales has made some eight lottery awards to choirs shows how much it values them. Indeed, the whole country does. There are now some 100 male-voice choirs in Wales, of which it is encouraging to know that some two thirds have been started in the past 40 years.

Sir Roger Sims: I suspect, Madam Speaker, that you would rule me out of order if I were to burst into song. Does my hon. Friend accept that thousands of people throughout the country in all walks of life derive great pleasure from singing with choral societies, as I do with the Royal Choral Society? Does he recognise that, although choirs can attract audiences sufficient to meet their costs for carol concerts and performances such as the Messiah, it is much more difficult for them to put on many other wonderful choral works unless they have financial assistance from the sources that he mentioned?

Mr. Sproat: Yes. My hon. Friend is right about the great popularity of choirs. Some 250,000 people regularly sing in choirs. On my hon. Friend's wish to give choirs more money, there are the lottery boards that I have already mentioned—five in England and eight in Wales—and my right hon. Friend the Secretary of State will shortly publish a document on the arts, which will make funds to amateur organisations that we wish to support even more easily come by.

Mr. Barry Jones: Does the Minister know that St. John's methodist chapel, Connah's Quay, has a very good choir, and that it is mixed to boot? Does he know how I might obtain £100,000 for the chapel, which needs to be modernised and refurbished? Will he receive a deputation, or advise how that amount of money can be obtained from the lottery?

Mr. Sproat: Yes. I remember the wonderful introduction that the hon. Gentleman gave me to the Liverpool Philharmonic a couple of years ago. If he can do as well with that chapel, I should be glad to meet any deputation that he cares to bring to me.

Tourism

4. **Mr. Gale:** To ask the Secretary of State for National Heritage what steps her Department is taking to promote tourism in the Isle of Thanet. [33661]

Mrs. Virginia Bottomley: I welcomed the opportunity to visit the Isle of Thanet to reopen the Dreamland amusement park at Margate. This development is an excellent example of public and private sector partnership working to revitalise seaside resorts.

Mr. Gale: The people of Margate were extremely grateful that my right hon. Friend found time to give up a Sunday to open the new Dreamland complex. As she is aware, new Dreamland—unlike new Labour—is a stunning reality. She has also seen the need for more investment in Margate seafront to reinstate Margate as one of the country's premier family seaside resorts. Today a submission has been made for the regeneration of Margate sea front, both to my right hon. Friend and the national heritage memorial fund. I appreciate that she cannot write a cheque this afternoon, but will she ensure that the submission gets sympathetic consideration?

Mrs. Bottomley: My hon. Friend knows full well that I am a great believer in the British seaside holiday—*[Interruption.]* It is vital to the tourism industry which is, of course, denigrated by Labour Members, who are reckless in their attitude to the employment implications of the tourism industry. About 50 per cent. of the tourism spend in the domestic market is on seaside holidays, so the jeers and denigration of the Labour party bode ill for people in the seaside holiday industry. I will certainly give encouragement and cheers to my hon. Friend's approach of seeking further investment in a wonderful seaside town, which he represents so admirably.

Mr. Tony Banks: I hope that the Secretary of State will do all that she can to encourage tourism in Thanet and I hope that the English tourist board will do the same because it is important. How is it, then, that Mr. David Quarmby, whom the right hon. Lady has just appointed as chairman of the English tourist board and the British Tourist Authority, will work only three days a week—one and a half days on each board—for which he will get £54,000 a year? Could this be the same Mr. David Quarmby who got £900,000 from Sainsbury following the management reshuffle when he quit? I do not know what he will be able to do for tourism; no doubt he could take us on a guided tour around some interesting bank accounts.

Mrs. Bottomley: New Labour never ceases to carp about the Government. New Labour so hates success and so hates profit that it would turn over the national lottery because it so despises the phenomenal success of Camelot. New Labour resents the fact that we have a chairman of the British Tourist Authority and of the English tourist board who is a person of authority and distinction, and who will lead the industry, which is likely to be responsible for 40 per cent. of new jobs, amounting to 1 million, in the next 10 years. Labour is interested only in the politics of envy, of misery and of denigration. Once again, that bodes ill for the tourism industry, but the industry knows that it is safe with this Government.

Tourism

5. **Mr. John Marshall:** To ask the Secretary of State for National Heritage what proposals she has to encourage tourism in London. [33662]

Mrs. Virginia Bottomley: I want to improve the promotion overseas of London as a world city and as the gateway to Britain. This year, we have provided an additional £1.5 million for the "Focus London" campaign.

Mr. Marshall: Does my right hon. Friend agree that the way in which London helped to host Euro 96 demonstrates that it is a first-class tourist city and underlines the strength of Britain's case for hosting the world cup in 2006? Does she also agree that the case for London has been weakened by the irresponsible action of unions on London underground who seem oblivious to the hardship they cause and the jobs that they put at risk?

Mrs. Bottomley: I welcome the opportunity warmly to commend all those involved in Euro 96. It has been a phenomenal success and Britain has regained its reputation for being able to host world sporting events. I most certainly hope that that may lead to the World cup and many other international events coming here. I commend all those who participated, the arts events, the tourism industry and the security arrangements. Euro 96 has been a great source of joy and pleasure to many, and especially to all those who support football.

How right my hon. Friend is to condemn the dispute on the London underground. How typical it is that the Labour party cannot bring itself to condemn that action. Some 250,000 people come to Britain to have the opportunity to see Britain being prosperous and successful. For that experience to be marred by industrial disputes, as we had in the old days when the Labour party was in control, is shameful.

Mr. Ashton: Is the Minister aware that we agree with what she said about Euro 96? It was a great success. However, is she aware that in the other 50 weeks of the year, what puts people off London is the flea-bitten, rat-trap hotels around King's Cross, Victoria, Paddington and other places? One of the problems is that the country has no statutory grading of small hotels or minimum standards such as many other countries have. As long as the right hon. Lady leaves the matter to the free-market economy—most of the cheaper hotels have gone over to providing accommodation for the homeless—she will display massive neglect in terms of doing something about health and hygiene standards, and prices, at small hotels in London.

Mrs. Bottomley: The hon. Gentleman is right to focus on the importance of value for money and good standards in hotels in London in particular, and across the country. That is why so much work has gone into the preparation of the crown scheme in collaboration with the motoring industry's validation system. Work is also under way to encourage planning permission for hotels, particularly in London, and it is important that local authorities grant those permissions. A welcome number of new hotels have started in London and there has been a great deal more investment, but I am pleased to have Labour's support in driving up standards in the hotel sector. The excellent Mr. David Quarmby is certainly making that a priority as he takes on his new responsibilities.

Mr. Jacques Arnold: Would not tourism in London be encouraged if far greater use were made of the River Thames, not only by tourists visiting London, but in future, by tourists visiting the millennium site in Greenwich and, above all, the historic town of Gravesend?

Mrs. Bottomley: The opportunity for tourists to visit not only the centre of London, which is the gateway to Britain, but other parts of the country, including Gravesend, will undoubtedly be most welcome. However, I must take the opportunity to focus our minds on the phenomenal investment on the banks of Thames as a result of the national lottery. They include the developments at Bankside, the £50 million new Tate gallery, the Globe theatre, the Maritime hall at the Maritime museum and many other projects. There is now an unprecedented level of investment in London's cultural infrastructure.

Dr. John Cunningham: For the record, let me remind the Secretary of State that we welcome the appointment of Mr. David Quarmby to the British Tourist Authority and English tourist board. She was quite wrong to suggest otherwise. Is she aware that, far from feeling safe in the Government's hands, the tourism industry feels ignored and neglected by her Department? As she has complimented the Football Association on the success of Euro 96, may I join her in extending those compliments and plaudits on behalf of the Opposition? Can we take it that the Government will support the FA's intention to bid for the world cup soccer championships to be held in London? Will the Government support that bid?

Mrs. Bottomley: Undoubtedly, the Government will support that in every possible way. There have been most constructive and productive relationships in respect of Euro 96. The different agencies, local authorities, the Football Association, the security services, the arts organisations and the tourism industry worked together with a great deal of planning and wonderful results, and it would be a great triumph and a great day for Britain if we were to host the world cup.

I am delighted to hear that new Labour supports Mr. David Quarmby. The right hon. Gentleman will understand that it is rather difficult for Conservative Members to know which Labour spokesman to take seriously. When old Labour, new Labour, and middling Labour can synchronise their voices, we shall be able to follow the script more carefully.

National Lottery

6. **Mr. Butler:** To ask the Secretary of State for National Heritage how many good causes have been awarded funds from the national lottery in (a) Milton Keynes and (b) Buckinghamshire. [33663]

Mr. Sproat: Nineteen national lottery awards, totalling more than £20.6 million, have been awarded to projects in Milton Keynes. Forty-nine projects in Buckinghamshire have received lottery funds totalling more than £23.3 million.

Mr. Butler: That shows a proper sense of priority between Milton Keynes and the rest of Buckinghamshire. May I particularly welcome the grant of something over £19 million in capital grant to build the new theatre in Milton Keynes, which has been planned for many years and for which there is a great demand? It represents a clear answer to those who say that all the money goes to London. Most of us live outside London and enjoy facilities outside London. The sums available are a testament to the work of Camelot, which I congratulate on behalf of the citizens of Milton Keynes on running the lottery to such good effect.

Mr. Sproat: I entirely share my hon. Friend's pleasure at the leisure centre going to Milton Keynes, and I shall ensure that his comments about Camelot are passed on to it.

Popular Music

7. **Mr. Whittingdale:** To ask the Secretary of State for National Heritage if she will make a statement on the role of her Department in the promotion of the British popular music industry. [33664]

Mrs. Virginia Bottomley: The British music industry is enormously successful, nationally and world wide, adding to the enjoyment of music of all types. I meet representatives of the industry regularly.

Mr. Whittingdale: Will my right hon. Friend confirm that Britain leads the world in the pop music industry, which generates more than £1 billion of export earnings every year without a penny of Government subsidy? Does she agree that, although it is too often dismissed by music snobs, it is a great British success story?

Mrs. Bottomley: I endorse my hon. Friend's remarks. The industry is extremely successful. It employs about 50,000 people and, as he says, is a major export earner. The net surplus on overseas trade in 1993 was £571 million—similar to the net overseas earnings of the steel industry. Its success is widely recognised. How pleased we all were that George Martin received a knighthood in the recent honours list.

Mr. Maxton: Does the right hon. Lady agree that one of the best ways to encourage popular music is to ensure the continuation of the BBC's Radio 1, which encourages new talent and plays live popular music unlike any other radio station in the country? Will she therefore make it absolutely clear that she will always refuse any attempt to privatise Radio 1?

Mrs. Bottomley: I am astonished to hear the hon. Gentleman's question because, of course, since the Conservative party has been in power, Radio 5 has been launched to join Radio 1, Radio 2, Radio 3 and Radio 4. I am a little taken aback by his comments but delighted to endorse Radio 1's role, which, as he rightly said, is significant in promoting the pop industry, especially by offering opportunities to new performers.

Sport Academy

8. **Mr. Amess:** To ask the Secretary of State for National Heritage what plans she has for an academy of sport. [33665]

Mr. Sproat: We announced our intention to establish a British academy of sport in the sports policy statement, "Sport: Raising the Game" in July 1995. Following the Sports Council's recent consultation exercise, the council will shortly be issuing the prospectus for bids to establish the academy.

Mr. Amess: In the light of the great success in every respect of Euro 96, does my hon. Friend believe that an academy of sport will ensure future sporting triumphs? What sporting events are likely to be covered by it? Will he consider very carefully Basildon, Southend and Redbridge as sites for future sporting academies?

Mr. Sproat: I join my hon. Friend in congratulating all those who were responsible for Euro 96. I was particularly pleased that Mr. Terry Venables and the English team received the award for fair play last night. The British academy will be more concerned with the athletes who go there, but, of course, all sports will be able to apply to attend and I imagine that pretty well every sport will do so. I saw that Basildon and Redbridge had put forward bids and I wish them all the luck that they need in being successful.

Mr. Grocott: Although I agree with the Minister about the success of Euro 96, is not the best possible recruitment ground for future sporting talent enabling as many young people as possible to see sport at its best, which probably means seeing it on the major television channels? Given that the key reason why Euro 96 was such a national success was the fact that 27 million people saw the semi-final on terrestrial channels, how do the Government propose to change policy so that the pattern of recent years, in which, recurrently, coverage of major events has been built up by terrestrial channels then sold to minority channels that few people can view, is substantially reversed?

Mr. Sproat: If the hon. Gentleman is present for the Report stage of the Broadcasting Bill, which starts in the House in about half an hour, and sticks it out until the end of the day, he will no doubt hear the Government's answer to that very important question.

Mr. John Carlisle: What progress has been made on creating an academy of cricket? Cricket, of course, is our prime summer sport, rather than what has been going on in the past few weeks. The MCC made progress under the chairmanship of Dennis Silk, but the idea was then dropped. What initiatives has my hon. Friend taken on this matter? Does he support the idea of an academy of cricket?

Mr. Sproat: We see a three-tier structure of the academies, with the British academy of sport at its peak, a number of regional institutes of sport, and academies of individual sports, of which the academy of cricket will be one. I have had various discussions with Dennis Silk and other members of the Test and County Cricket Board about an academy for cricket, but it must be a matter for the sport itself. If such an academy were to be set up, it would receive my enthusiastic support.

Mr. Pendry: Is the Minister aware that there is great relief in the sporting world that the Sports Council's consultation on the academy of sport has come to an end? He will be aware that the consultation revealed overwhelming support for the Labour party's approach—for a headquarters site with an enhanced regional network, as he just said. It is pleasing to note that, in recent weeks, the Minister has moved away from his original support for a huge one-off green-field site, as outlined in his article in *The Daily Telegraph* on 5 December 1995, and has come around to the opinion that we outlined. Now that the consultation has been completed, will he proceed with all speed in concert with all interested sporting bodies to ensure that our talented sports people get the academy that they richly deserve?

Mr. Sproat: If the hon. Gentleman refreshes his memory by reading the document of 14 July 1995, he will see half a dozen mentions of regional institutes of sport linked to the British academy. That was always my intention, and it is exactly what will happen. On his second point, we will be issuing a prospectus in the next few weeks.

Tourism

9. **Mr. Couchman:** To ask the Secretary of State for National Heritage what plans she has to encourage tourism in the south-east of England. [33666]

Mr. Sproat: My Department's support for tourism is channelled through the statutory British Tourist Authority and the English tourist board. Through the ETB, support is made available to the 11 non-statutory regional tourist boards, including the South-East England tourist board.

Mr. Couchman: My hon. Friend will know that I represent part of the Medway towns, which are steeped in history and have many tourist attractions, from Rochester's Norman castle and cathedral to the Dickens festival which is held several times a year. In Gillingham and Chatham, we have the historic dockyard and the Royal Engineers museum. All these are looking to provide additional attractions, particularly the dockyard. When the national heritage memorial fund is looking at its application for lottery funding, will my hon. Friend bear it in mind that this particularly important group of ancient monuments needs more attractions to add to the already attractive prospects of the Royal National Lifeboat Institution museum, the ropery and others?

Mr. Sproat: Yes. Chatham probably has more historic buildings than any other town in Europe, and I will draw my hon. Friend's remarks to the attention of the appropriate distributor bodies for lottery funds so that they can consider whether to help.

Mrs. Anne Campbell: Is the Minister aware of the many reputable language schools that succeed in bringing hundreds of thousands of young tourists to the south-east every year? Is he also aware of their demands for regulation of the industry to prevent fly-by-night operations which often bring large and unsupervised groups of very young children into the city?

Mr. Sproat: I am aware of the two serious points raised by the hon. Lady, and I shall draw them to the attention of the English tourist board and the British Tourist Authority.

Dame Peggy Fenner: I was very pleased to hear my hon. Friend say that he is aware that Chatham dockyard probably has the largest number of historic buildings on one site in the south-east. Will he note that these buildings in the historic end of Chatham dockyard are all listed and that, consequently, we would not permit anybody to let them fall into disrepair? However, we shall need more money to help us to keep them up to date.

Mr. Sproat: I thank my hon. Friend for saying that. My right hon. Friend the Secretary of State has visited the sites to which he refers. I know that my right hon. Friend will be doing everything she properly can to ensure that the lottery distributor of funds and the tourist boards consider his plea.

Scratchcard Lottery

10. **Mr. William O'Brien:** To ask the Secretary of State for National Heritage when she last met the Director General of the National Lottery to discuss the work of the scratchcard lottery and if she will make a statement. [33667]

Mr. Sproat: My right hon Friend last met the Director General of the National Lottery, Mr. Peter Davis, on 9 May to discuss a range of issues relating to the national lottery.

Mr. O'Brien: During the discussions, did the Secretary of State refer to the apparent anomalies associated with the sale of lottery tickets to under-age people? Does that apply to scratchcards? I have here a copy of the national lottery's code of conduct, which is vague about the sale of scratchcards. It is Camelot's responsibility to ensure that they are not sold to under-age children. Will the Minister impress on the Office of the National Lottery and the national lottery people that they must make it clearer how the code of conduct applies to scratchcards and that Camelot should be diligent in ensuring that scratchcards are not sold to under-age children?

Mr. Sproat: The hon. Gentleman makes an extremely important point and I will certainly draw his remarks to the attention of both the director general of Oflot and Camelot. Scratchcards should not be sold to under-age children and Camelot has closed down one retailer for doing so, but I will reinforce the hon. Gentleman's plea to the appropriate bodies.

Mr. Bernard Jenkin: I congratulate my hon. Friend on Oflot's tough action to avoid its scratchcards being sold to people who are under age. Is it not important to realise that scratchcards are not a monopoly business for the national lottery and Camelot? A large number of companies and organisations are in that business and it would be wrong to blame all the problems of scratchcards on one company.

Mr. Sproat: My hon. Friend is right. Sales of scratchcards have fallen from a peak of about 40 million just over a year ago to 17 million. Only about 14 per cent. of people who buy lottery tickets buy scratchcards as opposed to 60 per cent. who play the main game. My hon. Friend is right to say that the national lottery does not have a monopoly on scratchcards.

Mr. Maclennan: Does the Minister accept that shooting an admiral to encourage the others is not sufficient protection for the young? When he next meets the director general, will he ask him for a systematic monitoring process that can be reported on?

Mr. Sproat: I take the matter extremely seriously, as I told the hon. Member for Normanton (Mr. O'Brien). In the 10 months until April this year, Oflot undertook no fewer than seven inquiries into the running of scratchcards; those showed no reasons for deep concern. None the less, I agree that under-age children should not be served, and Oflot and Camelot should do everything they can to ensure that that rule is obeyed.

Tourism

12. **Sir Michael Neubert:** To ask the Secretary of State for National Heritage what recent discussions she has had with the British Tourist Authority about promoting Britain as a holiday destination. [33669]

Mrs. Virginia Bottomley: I met the new chairman of the BTA shortly after his appointment, along with staff of the BTA, and discussed the current plan for promoting Britain. We are giving high priority to developing the fast-growing markets of the far east.

Sir Michael Neubert: Does my right hon. Friend agree that these small, overcrowded islands with their unique concentration of culture and historical heritage will need to look not to numbers of visitors alone but to the

high-spending, more lucrative, long-haul market? What success are we having in attracting tourists from the far east and what plans are there to increase their number?

Mrs. Bottomley: I recognise the force of my hon. Friend's arguments. The recent visit that I led to Japan with 30 tourist organisations was extremely successful. In Japan, it is well understood that the amount raised from visitors to Britain is larger than that from any other sector—more than £550 million last year. Recognising the economic significance of the tourist industry is of great importance. I commended the close working of the British Council—there is enormous interest in British cultural activities overseas—with the BTA. When the three work together, there is huge potential for Britain, particularly in those markets where at present only a small fraction of the population have even a passport.

Mr. Pike: Does the Secretary of State recognise the importance of developing tourism in the regions—the north-west and Lancashire in particular? Will her Department continue to give the support that the Minister for Sport has given to regional airports such as Manchester airport, so that people can fly directly to those airports and need not go via London airport?

Mrs. Bottomley: The hon. Gentleman is absolutely right. Some 50 per cent. of visitors do come to London first, but most—and a growing number—also want to spend time outside the capital. One of the successes of Euro 96 was the fact that many visitors were able to see the magnificent cities that we have all over the country. I shall certainly continue to press the case for more direct routes.

I should remind the hon. Gentleman, however, that the real threat to the tourist industry comes from the Labour party's proposals. Only today, the Employment Policy Institute told us again that the tourist and hospitality industry would be hardest hit by a minimum wage, and only last week a report from BDO Hospitality Consulting said the same—as have many others. It is time that Labour listened.

LORD CHANCELLOR'S DEPARTMENT

Justices of the Peace

29. **Mr. Mackinlay:** To ask the Parliamentary Secretary, Lord Chancellor's Department for what reason it is necessary to seek the voting intentions of justices of the peace, without anonymity, prior to the next general election; and if he will make a statement. [33687]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): All those who apply to be appointed justices of the peace are asked to indicate their political affiliation in order to ensure that benches are balanced in that respect. The information is confidential to advisory committees, clerks to justices and my Department. Local surveys of the political affiliation of existing justices are sometimes carried out to establish current political affiliations.

Mr. Mackinlay: I accept the need for a bench that reflects the social and political complexion of the country. After justices are appointed, however, surely it is inappropriate and intrusive, as well as dangerous from a judicial point of view, to inquire how they intend to vote at the next general election. Does the Minister agree that it is inappropriate for justices to make such declarations to clerks, and will he reconsider the practice in relation to existing justices?

Mr. Streeter: There is no intention of reviewing the practice, which has continued for generations under Lord Chancellors and Prime Ministers of different persuasions. The hon. Gentleman may be interested to learn that, at the last count, 31 colleagues on his own bench supported the Conservative party and 36 did not. I cannot see what his beef is all about.

Mr. Fabricant: Will my hon. Friend assure the House that, if a JP reveals himself to be a member of the hang 'em, flog 'em and disembowel 'em school of politics, he should not be barred from serving as a JP?

Mr. Streeter: The most important thing is the quality of justice dispensed by local benches, and I think that most of us feel that the quality of justice in this country is extremely high. It should come as no surprise to any Member of Parliament if the majority of JPs are Conservative supporters: after all, we know that Conservatives are actively involved in voluntary organisations up and down the country because we care about our country and our local communities.

Mr. Alex Carlile: Can the Minister give us a lucid explanation of the correlation between voting intention and the capacity to return a fair verdict? Will similar inquiries be made about which football club magistrates support, or whether they are freemasons, Oddfellows or farmers? What other matters are now to be inquired into?

Mr. Streeter: As I said earlier, the practice of inquiring about the potential affiliations of potential JPs has been going on for generations. What I do not know is whether it took place under the last Liberal Government. That was such a long time ago that I suspect that records are no longer kept.

Crown Office, Edinburgh

30. **Mr. Dalyell:** To ask the Parliamentary Secretary, Lord Chancellor's Department what is the mechanism for liaison between his Department and the Crown Office in Edinburgh. [33688]

Mr. Streeter: The Lord Chancellor's Department and the Crown Office consult each other as necessary where they share an interest.

Mr. Dalyell: I gave notice of this question to the Lord Chancellor this morning. I meant no offence to the Parliamentary Secretary. Lord Mackay knows a good deal about the Scottish situation and about Lockerbie, and is a senior member of the Cabinet.

Will the Government consider the offer made at the weekend by the Foreign Affairs Minister of South Africa, Mr. Nzo, to host an inquiry into Lockerbie in South Africa?

Mr. Streeter: We are grateful to the hon. Gentleman for giving us notice of his supplementary question, which Lord Mackay shared with me this morning.

We believe that a trial anywhere in any third country is unacceptable, for reasons well known to the hon. Gentleman. Here are two of them: it would be wrong to allow those accused of terrorist offences to dictate where and how they are tried; and it would not be right to accept the proposition that a trial in Scotland would not be fair.

Mr. Hawkins: Can my hon. Friend inform the House whether the liaison between the Crown Office in Edinburgh and his Department would be affected in any way if there were a Scottish Parliament with tax-raising powers? The Labour party is now in such confusion between its Front Bench, its Back Benches and all other parts of the party about the matter that it is important to know the answer to that question.

Mr. Streeter: My hon. Friend is on to a good point. The liaison between my office and the Crown Office in Edinburgh would clearly be confused if there were a tax-raising Scottish Parliament. I wonder whether the hon. Member for Linlithgow (Mr. Dalyell), who tabled the question, will continue to persevere with probing his colleagues about the West Lothian question, to which we have had no satisfactory response.

Dr. Godman: On the very serious question of Lockerbie and leaving aside party political scoring, does the Lord Chancellor agree with the oral statement made by the Prime Minister in this place three months ago in response to a question of mine that such a trial will take place in Scotland at the High Court?

Mr. Streeter: The hon. Gentleman is concerned about the last exchange, but he should read the question on the Order Paper: it is about consultation between my Department and the Crown Office in Edinburgh. On the hon. Gentleman's substantive question, I know of no knowledge to the contrary.

Legal Aid

31. **Dr. Spink:** To ask the Parliamentary Secretary, Lord Chancellor's Department what action he is taking to reduce spending on the legal aid fund. [33689]

Mr. Streeter: My right hon. and noble Friend the Lord Chancellor expects shortly to announce his proposals for reform of the legal aid scheme. It would not be appropriate for me to pre-empt that announcement. We are already taking steps to control the costs of the legal aid scheme, such as measures to investigate the means of apparently wealthy applicants and the introduction of graduated fees in the Crown court. The White Paper proposals will take us further.

Dr. Spink: Does my hon. Friend share my constituents' concern that a man who was dying of cancer and had his life saved by the excellent national health service against all the odds should seek to use public funds to sue the very doctors who saved his life rather than allowing those funds to be used in the health service?

Mr. Streeter: I share my hon. Friend's concern, as do most British taxpayers. My hon. Friend is a champion of the interests of the British taxpayer in relation to legal aid. He will be encouraged to know that under our proposals, to be issued tomorrow, we intend to take positive, radical measures to crack down on the weak and trivial cases which are making all too frequent an appearance in the local newspapers. My hon. Friend will be interested to know that, when I heard about the case that he has mentioned, I asked the chief executive of the Legal Aid Board to come to see me on Wednesday to explain how on earth legal aid could be made available in such a case.

32. **Mr. Gordon Prentice:** To ask the Parliamentary Secretary, Lord Chancellor's Department how many people were eligible for legal aid in 1979; and what is the current figure. [33690]

Mr. Streeter: We estimate that in civil cases 74 per cent. of households qualified for legal aid in 1979. The figure for civil legal aid today is 48 per cent. There has been no reduction in the number of people eligible for criminal legal aid since 1979.

Mr. Prentice: Is it not appalling that the number of households eligible for legal aid should drop from more than three quarters in 1979 to less than half now? Is it not an incontestable fact that the only people who can get legal aid now are those on the breadline and that the income cut-off is £7,400? Is it not a case of justice denied when the only people who can get access to the courts are those whose wallets or purses are fat enough?

Mr. Streeter: I believe that the hon. Gentleman lives on a different planet from me. Although the number of households eligible may well have fallen in the past 17 years, that is partly a reflection of rising living standards. The hon. Gentleman will be interested to know that acts of assistance have risen from 1.9 million to 3.5 million today. Legal aid funding has risen in the past five years to £1.4 billion. The hon. Gentleman clearly believes that that is not enough. If £1.4 billion is not enough, it is incumbent on him and his party to tell us today how much we should spend and where the money should come from.

Mr. Congdon: Is my hon. Friend aware that, far from being concerned about restrictions on legal aid, my constituents are concerned about its generosity, particularly in civil cases? Does he share my amazement that this country should grant civil legal aid to someone deported as an illegal immigrant who wishes to pursue a civil case in the courts of this country?

Mr. Streeter: Once again, my hon. Friend is on to a good point, which we will talk about in more detail tomorrow when the White Paper is issued. He should know that every working person in this country

contributes £60 a year to the legal aid fund. I think that is enough. If the Opposition do not, they should tell us how much it should be.

Mr. Boateng: Given the ever-increasing cost of the legal aid fund to the public and the ever-reducing number of the public who are able to benefit from it, when will Conservative Members and their Government stop hitting the hard-pressed litigant, who happens to be funded by the public, and start dealing with the restrictive practices of the legal profession? Why do we hear so much about the litigant and so little about the lawyer? When will the Government tackle the restrictive practices in the legal profession, because if they do not, we will?

Mr. Streeter: Even I think that that is a bit rich coming from someone who makes his living out of the restrictive practices of the legal profession. The hon. Gentleman has failed to tell us whether a budget of £1.4 billion is enough. He says no, so how much more should be spent, and where will it come from?

Mr. Jessel: Does not my hon. Friend's figure of £1.4 billion suggest that litigation is one of the fastest growing industries in Britain? Is it not growing much too fast onward and upward? Surely it is self-evident that, if people want to have a divorce, they should not have it at the expense of their fellow taxpayers. We are getting much too much like the Americans and it is time that something was done about it.

Mr. Streeter: I have a great deal of sympathy with that question. If we have a free market it is not for us to say who should or should not litigate, but we can control the extent to which the British taxpayer funds such litigation. We will bring forward legal aid reforms tomorrow to ensure that the British taxpayer gets more bang for his buck.

33. **Mr. Janner:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will arrange for legal aid to be extended to industrial tribunals. [33691]

Mr. Streeter: We have no plans to extend legal aid to industrial tribunals.

Mr. Janner: Does the Minister understand how important industrial tribunal cases are? Does he understand that it is wrong that there are no circumstances in which any litigant in any industrial tribunal case can get legal aid, even though the Government have rightly moved wrongful dismissal cases up to £25,000 to tribunals at the request of the litigant and even though there are no upper limits on compensation for sex, race or disability discrimination cases? Will he please have another look at the matter and consider whether those cases should not be included for proper legal aid help?

Mr. Streeter: Thousands of cases each year come before the industrial tribunals, and I believe that most of them are informal, well run and produce the sort of justice that we want to see. Once again, an Opposition Member has stood up in the House and called for more public expenditure. It really begins to stick in the throat when Labour Members call for more public spending in the House and then rush out to the television cameras to say that under a Labour Government there would be no more spending and no more taxes. Which is it?

34. **Mr. Llwyd:** To ask the Parliamentary Secretary, Lord Chancellor's Department how much was paid out of the legal aid fund in green form costs in each year since 1992; and if he will make a statement. [33692]

Mr. Streeter: Between 1991-92 and 1995-96, the gross cost to the legal aid fund in respect of green form advice for each year was as follows: £100 million; £125 million; £147 million; £141 million; and £145 million. Over the same period, total legal aid payments have risen by £688 million from £1,097 million to £1,784 million.

Mr. Llwyd: I am grateful to the Minister for such a detailed reply. May I impress on him the need to ensure that those people who do benefit from green form legal aid, advice and assistance continue to do so in any forthcoming review of legal aid? The people who bring that type of work to solicitors are very often the most needy in society, and are definitely unable to afford to pay for work privately. May I impress on the Minister the need to ensure that this core necessity remains?

Mr. Streeter: At last a sensible and reasonable question from an Opposition Member. I can give the hon. Gentleman the assurance that he seeks. There will be a radical reform of the legal aid scheme under the proposals to be announced tomorrow but, whatever we do, we will ensure that those who really need access to justice and cannot afford it will be adequately catered for under the new regime.

Mr. Jacques Arnold: How confident is my hon. Friend that the green form scheme is not being used to lure ordinary members of the public into a legal morass, more for the solicitor's benefit than for that of our constituents?

Mr. Streeter: My hon. Friend makes an interesting point. He will be interested to know, as I was this morning, that the Law Society has come out against our legal aid reform plans, even though it does not yet know what they are. The Government are increasingly able to be guided by the principle that, if the Law Society is against it, it is pretty firm evidence that we are on the right track.

Point of Order

3.30 pm

Mr. Peter Hain (Neath): On a point of order, Madam Speaker. May I inform you that, in Committee Room 11 last Wednesday, there was a meeting by the Right Now group, whose editor describes himself as "your neighbourhood Nazi"? Is it right that such vile extremist groups should be meeting in the House in this way, and is it right that the Home Office Minister, the hon. Member for Maidstone (Miss Widdecombe), should have addressed that meeting, as other Conservative colleagues have addressed previous meetings of that extremist group?

Madam Speaker: I have no objection to extremist groups of the right or, for that matter, extremist groups of the left, meeting in the House, provided that the room is properly booked by a Member and that the Member remains there throughout. If Members have an objection to extremist organisations coming into the House, perhaps they would refer the matter—or, if they wish me to do so, I will do so—to the Administration Committee if they would like this matter to be looked at afresh.

I do not favour extremist groups—I find them totally objectionable—but if Members invite them into the House and accept responsibility for them, whether they are extremists of the right or the left, I think we should go ahead in the tolerant way in which we deal with things in the House.

Mr. Jacques Arnold (Gravesham): Further to that point of order, Madam Speaker.

Mr. Robert G. Hughes (Harrow, West): Further to that point of order, Madam Speaker.

Madam Speaker: There can be no further points of order. I have made my views known.

Mr. Hughes: It is on an aspect of what the hon. Gentleman said.

Madam Speaker: The hon. Gentleman raised a point of order with me. He asked me, under a point of order, for a ruling. I have given that ruling. If the hon. Gentleman has another matter to raise, of course I will listen to it.

Mr. Hughes: I have no knowledge of that meeting, and of course I accept and agree with your ruling, Madam Speaker. I was seeking to ask you to remind the hon. Members of the courtesy of telling Members if they intend to raise their names on the Floor of the House. The hon. Gentleman did not say whether he had advised my hon. Friend the Member for Maidstone (Miss Widdecombe). Frankly, I found the suggestion that my hon. Friend the Member for Maidstone would be associated with an extremist group ridiculous.

Madam Speaker: The hon. Gentleman has made a most important point. When calling into question another Member of the House, it is crucial that that Member be so informed. What is said may or may not be accurate. I am not aware whether it is accurate in this case or not, but I hope that—*[Interruption.]* Just a moment. I have not finished. I hope that the hon. Member for Neath (Mr. Hain) informed the hon. Member for Maidstone (Miss Widdecombe). Did he do so?

Mr. Hain: I did not, Madam Speaker.

Madam Speaker: In that case, I reprimand the hon. Gentleman. We have all been here long enough now—the hon. Gentleman since 1992—to know the common courtesies of the House, and I think this should be carried out.

Mr. Jacques Arnold: Given that you have said that you disapprove of extremist groups, Madam Speaker, how is an extremist group defined in this place?

Madam Speaker: I cannot define an extremist group, but I can tell the House that at the next election I shall be fighting Militant Tendency and the National Front. I call them both extremist groups, and I am very happy to take them on.

BROADCASTING BILL [*LORDS*] [WAYS AND MEANS] [No. 2]

Resolved,

That, for the purposes of any Act resulting from the Broadcasting Bill *[Lords]*, it is expedient to authorise the inclusion of provisions about tax in connection with transfers and other disposals of property, rights or liabilities which subsist for the purposes of or in connection with or are otherwise attributable to the BBC transmission network, as defined in the Act.—[*Mr. Wood.*]

Orders of the Day

Broadcasting Bill *[Lords]*

As amended (in the Standing Committee), considered.

Mr. John Maxton (Glasgow, Cathcart): On a point of order, Madam Speaker. I know that it is unusual to query the selection of amendments and new clauses—or perhaps not so unusual. Am I right in saying that the criterion for selection is whether an amendment is in order and within the terms of the long title of a Bill? If an amendment or new clause satisfies that, there is no reason why it should not be selected. Is that right?

Madam Speaker: That is certainly one criterion for selection, but there are a number of important other criteria, such as whether an issue has already been discussed in Committee. I take them all into consideration.

Mr. Maxton: In that case I wonder whether you would like to compare new clause 1 with new clause 12. New clause 1 has not been selected; new clause 12 has. While not exactly the same, the contents of at least the first paragraph of each new clause are exactly the same. I should hate to think that one has been selected and the other has not because the latter was tabled by Back Benchers and the former by Opposition Front Benchers.

Madam Speaker: The hon. Gentleman is trying to tempt me to give reasons for my selection or non-selection. I spent a great deal of time this morning considering both new clauses—indeed, I practically know them by heart. I think that the hon. Gentleman will find that the best debate possible can be held on the new clause that I have selected.

Ordered,

That the Broadcasting Bill *[Lords]*, as amended, be considered in the following order, namely, New Clauses, New Schedules, amendments relating to Clauses 1 to 33, Schedule 1, Clauses 34 to 69, Schedule 2, Clauses 70 to 100, Schedule 3, Clauses 101 to 122, Schedule 4, Clauses 123 to 125, Schedule 5, Clauses 126 to 128, Schedule 6, Clauses 129 to 134, Schedules 7 and 8 and Clauses 135 and 136.—*[Mr. Wood.]*

New clause 23

TAXATION PROVISIONS WITH RESPECT TO TRANSFER SCHEMES

'. Schedule *(Transfer schemes relating to the BBC transmission network: taxation provisions)* (which makes provision about tax in connection with transfer schemes) shall have effect.'.—*[Mr. Sproat.]*

Brought up, and read the First time.

The Minister of State, Department of National Heritage (Mr. Iain Sproat): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: Government new clause 31—*Transfer schemes: successor companies.*

New clause 17—*BBC pensions—*

'—(1) The trustees of the BBC Pension Scheme shall refer to the Secretary of State, before such date as he may specify, the division and distribution of the relevant assets which is to be made for the purpose of making a transfer payment to a pension scheme established for their employees by a person or persons specified in a scheme under section 110 of the Act (the specified person); any such division and distribution of those assets and liabilities shall not be made by the trustees except—

(a) with the consent of the Secretary of State, or

(b) in accordance with an order made by the Secretary of State under subsection (2).

(2) Where any such division and distribution is referred to the Secretary of State under subsection (1), he may by order direct that the relevant assets shall be divided and distributed by the trustees in such a manner, and such a time, as is specified in the order; and any provision of—

(a) the pension scheme established by the specified person referred to in subsection (1), or

(b) any enactment relating to occupational pension schemes, including any enactment relating to transfer values,

shall not have effect to the extent that it is inconsistent with the division and distribution of those assets in accordance with any such order.

(3) When making an order under subsection (2) the Secretary of State shall have regard to the interests of all classes of persons who are for the time being beneficiaries under the scheme referred to in subsection (1).

(4) In this clause, "the relevant assets" means the assets held by or on behalf of the trustees and "the trustees" means the trustees of the Scheme referred to in subsection (1).

(5) An order under subsection (2) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

Government new schedule 2—*Transfer schemes relating to the BBC transmission network: taxation provisions.*

Government new schedule 3—*Transfer schemes relating to the BBC transmission network: successor companies.*

Amendment No. 51, in clause 125, page 104, line 36, at end insert—

'(1A) Any such scheme shall make explicit provision requiring the maintaining during the 25 years following the transfer of transmission services in less populated areas of at least as good a quality as obtained at the time of the transfer.

(1B) In subsection (1A) "less populated areas" means any counties with a population density of below half the average population density of the United Kingdom as a whole.'.

Amendment No. 255, in clause 125, page 104, line 36, at end insert:—

'(1A) Any such scheme shall make explicit provision to ensure equality of access to transmission services in all areas of the United Kingdom, irrespective of population density.'.

Government amendments Nos. 10 and 141.

Amendment No. 52, in clause 126, page 105, line 16, at end insert—

'(3A) The Secretary of State shall not approve any transfer scheme which does not make explicit provision for the maintaining during the 25 years following the transfer of transmission services in counties with below half the average population density of the United Kingdom as a whole of at least as good a quality as obtained at the time of the transfer.'.

[Madam Speaker]

Amendment No. 254, in clause 126, page 105, line 16, at end insert—

'(3a) the Secretary of State shall withhold his consent for any scheme which does not provide for the enhancement and subsequent maintaining of transmission standards during the 25 years following the transfer in areas whose population density is below half the average density for the United Kingdom as a whole.'.

Government amendments Nos. 139, 140 and 164.

Mr. Sproat: There will be a number of occasions during our deliberations today when Government new clauses and Opposition amendments have quite properly been grouped together. For the convenience of the House, I propose to speak first to the Government new clauses and amendments and then to listen to what others have to say about theirs. I will then reply afterwards—

Dr. John Cunningham (Copeland): But briefly.

Mr. Sproat: I shall do my best. I am glad that we can start by agreeing.

The amendments fulfil the commitment that I made in Committee to table an amendment on Report to achieve broad tax neutrality in the sale of the BBC's transmission assets. Similar arrangements have been made in the past in relation to Government privatisations. While we have agreed that the proceeds arising from the sale of licence fee-funded assets should be available to the BBC rather than returned to the Exchequer, we feel that it would be wrong effectively to tax the licence fee payer in relation to the sale of these transmission assets.

We have agreed with the BBC that the proceeds of sale will be invested in the digital technology that will be necessary for the corporation to maintain its place as the United Kingdom's main public service broadcaster.

The purpose of new clause 31 and new schedule 3 is to clarify certain technical and accounting aspects of the sale of the BBC's transmission services and to provide the BBC with greater flexibility in its structuring for sale. That will enable the BBC to achieve maximum value for the assets.

The purpose of amendments Nos. 139 and 141 is to make it clear that the transfer scheme relating to the BBC's transmission assets can take place for a consideration, which can be shares or securities. The amendments simply provide for flexibility for the structuring of the sale so that the BBC is best able to achieve maximum value from the arrangements.

Amendment No. 10 concerns the commitment that I gave in Committee to table an amendment, for the avoidance of doubt, so that pension rights and liabilities are capable of being transferred by the BBC in accordance with the transfer scheme established under clause 125. The amendment would add pension rights and liabilities to the list of property to which such a scheme may relate at paragraph 3 of schedule 5. Therefore, pension rights will be brought explicitly within the scope of the transfer scheme. Under clause 126, the Secretary of State's approval is needed for any transfer scheme made by the BBC which will provide an additional safeguard for BBC transmission staff.

Dr. Lewis Moonie (Kirkcaldy): New clause 17 deals with the transfer of the pension rights of employees of the BBC transmission service. It has been grouped with the range of issues to which the Minister has just referred. I have no objection to any of his proposals and I do not intend to debate them any further.

The Labour party seeks to secure fair treatment for the 850 employees who will be transferred into the private sector as a result of the proposed sale, should it go ahead.

It appears that a regular feature of privatisation legislation is a detailed debate on pensions. Indeed, most privatisation legislation contains a sizeable schedule relating to pensions, which is carefully scrutinised and often improved—as was the case in relation to the other two privatisation Bills that I have examined in Committee: one relating to the British Technology Group in 1991-92 and the other to AEA Technology in 1994-95.

The Bill, as it stands, contains nothing on pensions for those employees, and our new clause attempts to remedy that situation. The issue of pensions for the BBC's employees was debated in another place and in Committee. On both occasions, Ministers promised that amendments would be brought forward to safeguard the pension rights of BBC employees when they transferred to new companies.

The Government's response to the concerns that were raised in the other place and in Committee has been to table amendment 10, which adds the words:

"rights and liabilities of the BBC under any agreement or arrangement for the payment of pensions, allowances and gratuities,".

to an existing section of the Bill on transfer schemes. The problem is that the existing section of the Bill—paragraph 3 of schedule 5 on page 143—is only about rights and liabilities that shall be capable of being transferred and not about those that it will be compulsory to transfer. In Committee, the Minister said:

"the Government will introduce an amendment on Report for the avoidance of doubt along the lines of what is provided for the Broadcasting Standards Council in schedule 4(4)."—[*Official Report, Standing Committee D*, 11 June 1996; c. 638.]

However, schedule 4(4) is a much more positive statement than amendment No. 10. It includes a statement to the effect that service before the transfer date will count as the equivalent after the transfer date. The Government are not avoiding doubt by introducing this amendment—they are increasing doubt in the minds of the BBC's employees.

The Labour party's new clause 17 is much the same as that which was tabled in Committee, and it was suggested to us by the Broadcasting, Entertainment and Cinematographic Trades Union, which represents many staff in BBC transmission. The Government have claimed that the new clause is defective in that it seeks to match the provisions contained in the sale of the Independent Broadcasting Authority.

However, the important part of the new clause is the granting of powers to the Secretary of State to intervene in the division of assets. The Secretary of State should have that power and should be prepared to use it so that the staff of BBC transmission get a fair deal. It should not be left to the BBC to decide what is correct or what is best for its employees. However good its intentions may be, it cannot guarantee it—only the Minister can.

The employees in this case are entitled to a fair deal, and they are not getting a fair deal from the Government's present proposals. I trust that, on reflection, the Minister will see fit to accept our new clause. It does not instruct him to do anything other than to oversee the transfer of funds—something that has been done in every previous case.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): We have heard about protecting the interests of the BBC and of pensioners—and quite rightly so. My amendments Nos. 51 and 52 and those tabled by the hon. Member for Moray (Mrs. Ewing) are about protecting the interests of viewers—particularly those in areas of low population density, including much of Scotland and of Wales.

It seems peculiar that so few conditions are attached to the legislation in relation to privatising the BBC transmission network. As I understand it, the BBC will draw up a scheme that will be approved by the Secretary of State for National Heritage. I assume that any approval of that sort would depend on close liaison with the Secretaries of State for Wales and for Scotland. However, I do not think that that process is enough. When the railways were privatised, there were detailed provisions to protect the services and the users of those services. Those provisions were in primary, and not simply secondary, legislation. The railways privatisation included a minimum service requirement and the privatisations of British Telecom, electricity and gas followed the same pattern.

I ask the Minister—it is not a rhetorical question; it requires an answer—what will stop a privatised transmission company deciding to run down the network in less populated areas on the grounds that they are not commercially viable or attractive? What guarantees can the Minister offer that that will not occur? We need guarantees to the effect that television reception will be provided as of right and that there will be no marginalisation or disadvantaging of peripheral regions or regions of low population density.

Amendments Nos. 51 and 52, which I have tabled, introduce minimal requirements. I look forward to hearing not only how those requirements can be guaranteed but how provision can be made for new developments. How will the privatised transmission system ensure that that occurs?

3.45 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I apologise for interrupting the hon. Gentleman, but I remind him that any scheme devised under the Bill will not be subject to formal approval or amendment by the House.

Mr. Dafis: That is correct. Measures of that sort should receive the assent of the House and I assume that that provision should be in the legislation. They should be part of the process of placing orders or regulations, which would bring decisions back to the House. The legislation gives serious cause for concern. We shall return to the question of transmission in a later debate, but I ask the Minister to consider my questions carefully now.

Mr. Andrew Miller (Ellesmere Port and Neston): In Committee there was a useful exchange on the subject of pensions. At column 646 of the *Hansard* report of 11 June, the Minister agreed that accrued benefits should not be the sole criterion and that accrued surpluses are important. He said that he would consider the points that were raised and see whether they could be embodied in legislation at Report stage. I am disappointed with Government amendment No. 10 because it fails to do that. That is regrettable, as there was constructive debate about pensions in Committee.

There is no doubt that people face great difficulties when their pension arrangements are affected by changes of ownership. Many examples of that kind have been raised in the Chamber. It seems quite extraordinary that, when we have the opportunity to protect those people's interests, the House does not use its full powers so to do. That is why I think that hon. Members should consider carefully new clause 17 moved by my hon. Friend the Member for Kirkcaldy (Dr. Moonie).

Several factors must be taken into account when considering a change of ownership such as this. If it were an ordinary private sector transaction, there would be commercial considerations on both sides which I suspect that the Minister would argue would put it outside the scope of the House. No doubt he would argue that matters of commercial consideration were involved. In this case, the matters are not just of commercial consideration but are of relevance to viewers and listeners, to the employees and to the House. New clause 17 would enable the Minister to exercise common sense and control over the debate in the interests of all those parties. At the top of the list for consideration should be those people who have paid into the scheme—as we would expect if our pension fund were being discussed. The clause, as drafted at the moment, fails to take into account the interests of the employees and I urge the Minister to think carefully about the alternative in new clause 17.

In many other cases, the Government have exercised control in a variety of ways over the disposal of pension funds that have come under their control. One approach was adopted for the sale of Amersham International and, in subsequent privatisations, a different style was adopted. I am not arguing for one version or another: I am simply saying that the adoption of new clause 17 would give the Secretary of State the power to consider all the issues from the point of view of the fund members and to exercise that control in their interests, especially in relation to any surpluses. We had this exchange in Committee, and it is not unreasonable to argue that surpluses should be divided in the interests of those people who have contributed to the fund. The Minister accepted that point in Committee, but the Bill as drafted would not give him the appropriate power. I would be grateful if the Minister would respond to that point. He may be able to convince the House that the Bill will provide that power, but I believe that it will not.

Mrs. Margaret Ewing (Moray): I endorse many of the points that have been made by Opposition Members, but I wish to speak specifically about amendments Nos. 254 and 255, which are similar in content and intent to those tabled by my hon. Friend the Member for Ceredigion and Pembroke, North (Mr. Dafis).

I wish to mention especially the Glenlivet and Marypark areas of my constituency. People may know those names through the wonderful product that comes from Glenlivet and it is my pleasure to represent such a wonderful area. I have tabled amendments Nos. 254 and 255 so that I can remind the Government that the 200

[Mrs. Margaret Ewing]

people who live in that community are denied equality of access to television. Most houses in the area—this fact may surprise many people—get only fuzzy reception of BBC1 and Grampian, and Channel 4 and BBC2 are blacked out. I accept that communications in that area are difficult, but it seems ludicrous that more consideration and encouragement has not been given over the years to ensure that our people—in an area that provides so much money for the Treasury—have equal access to television channels.

The lack of reception affects everyone in the community. It affects the elderly population, some of whom are housebound, and it affects the young. Indeed, the local head teacher at Inveravon primary school has to ensure that educational tapes are made elsewhere for him to show to the young children in his care. This is a strong moral argument and I wish to hear what the Minister has to say on it. I have raised the problem with the Department of National Heritage and others over several years. The community council has been in touch with the Department and was appalled by the response that the people should resolve their problems by plugging into cable, which would entail running 80 miles of wire up to the nearest outlet in Aberdeen. The people regard that as ludicrous.

The Department's response to me of 21 March said:

"I was sorry to hear about the reception problems that some of your constituents have been having."

That was hardly a positive response. It went on to say that, because of the 200 people involved and the nature of the landscape,

"it . . . appears unlikely that a further transmitter will be built."

It then sent advice in the context of self-help television. Our people should not be asked to deal with the problem. They have a national right to have their television reception dealt with.

The only positive response that I received was from the Independent Television Commission. Mr. Brian Marjoribanks, the officer for Scotland, said in his letter of 7 March:

"should the Government announce an extension to the relay building programme beyond 1996, we will undertake to commission National Transcommunications Limited to conduct a new survey in the Glenlivet area in the hope that a solution may be found."

Will the Government extend that relay building programme or can the people of Glenlivet, Marypark and Inveravon expect to be in the same position many years hence?

Mr. Sproat: In tabling the new clause, hon. Members have highlighted concerns about the pension rights of the BBC transmission staff following the privatisation of the BBC's transmission services. Similar amendments were tabled on Third Reading in another place and in Committee. My noble Friend Lord Inglewood agreed to consider the matter further. I, in turn, undertook to introduce an amendment on Report to make it clear that the transfer scheme for which the Bill provides could include pensions arrangements. I have done so.

Let me explain briefly why the amendment is inappropriate. It seeks to apply to the sale of the BBC transmission assets provisions drawn from the 1990 Act in relation to the sale of the IBA transmission assets. When the IBA's transmission network was sold, the whole of the IBA's business was divided up and the transmission network was sold by the Government.

The BBC's position is different. The BBC itself is handling the sale and the bulk of its business will continue. The BBC pension fund will remain in existence to meet its continuing liability to some 44,000 beneficiaries and potential beneficiaries. The two situations are therefore not analogous.

None the less, we recognise that pensions are of critical concern to the staff of BBC Transmission, which is why we have introduced the amendment to which I referred earlier. The precise arrangements will depend on the identity of the purchaser, but the BBC has agreed with the trustees of the BBC pension fund that, should employees wish to transfer their accrued benefits to an appropriate scheme operated by the purchaser of Transmission, the transferred value will be a full and fair valuation of their pension rights. The BBC has stated that it will use its best endeavours to have a buyer who operates a final salary scheme, as the BBC's is. It is right that the BBC should negotiate the arrangements with staff and their representatives, as it has with other such transfers of work. The BBC will offer independent financial advice to all those affected.

Mr. Miller: Will the Minister give way?

Mr. Sproat: I am about to discuss accrued surpluses. Does the hon. Gentleman wish to ask about something else?

Mr. Miller: Will the Minister confirm that he said that the transfer will include employees' pension rights? In that context, does he mean the benefits that they have accrued under the rules thus far, or their share of the pension fund?

Mr. Sproat: It means the former. We are talking about accrued benefits. If the scheme is a final salary scheme, the employees will get what they would have got if they had retired at the age at which they are moving to the new transmitter service.

We discussed accrued surpluses in Committee. If the hon. Member for Kirkcaldy (Dr. Moonie) looks at clause 126, he will see that it says that the Secretary of State has to approve any transfer scheme. I hope that that will give him the reassurance he seeks that the BBC cannot transfer the scheme without parliamentary approval. Clause 126 specifically states, for once in words that are understandable by someone who is not a lawyer, that the Secretary of State has to agree to the transfer. If she does not agree, the transfer cannot go ahead in its existing form.

4 pm

It is true that the hon. Member for Ellesmere Port and Neston (Mr. Miller) raised the matter of accrued surpluses in Committee. I said then and I repeat today that it is an important matter. I went back to my officials and we discussed whether it would be appropriate in this case to transfer accrued surpluses; the answer I received was that it would not be. As I have said, we agreed in Committee that accrued surpluses were an important consideration.

However, I now understand that the BBC scheme is a defined benefits scheme. Employees pay 4.5 per cent. of their salary for defined pension benefits, related to final salary; the BBC meets the rest of the cost.

Mr. Miller *indicated assent.*

Mr. Sproat: I did not know when I began all this that the hon. Member for Ellesmere Port and Neston was something of an expert in these matters. Anyway, the BBC meets the rest of the cost. Any surplus or deficit is a BBC responsibility and it therefore remains with the main scheme. I hope that although the hon. Gentleman is clearly unlikely to agree with me, he will understand why we decided that it would not be proper for the 850-odd staff who were being transferred to the new organisation to get a share of the accrued surplus.

Mr. Clifford Forsythe (South Antrim): I am trying to follow what the Minister is saying. Is he saying that the contributions made by employees would not be part of that surplus?

Mr. Sproat: I am saying three things. First, any employee who is transferred to the new undertaking will have the option of taking the accrued benefit to the new undertaking. Secondly, the employee will have the option of leaving the accrued benefit in the BBC scheme, knowing that it will be uprated by RPI every year up to a limit of 10 per cent. a year. Thirdly, the employee can transfer the accrued benefit to a private scheme. I was saying to the hon. Member for Ellesmere Port and Neston that it would not be appropriate to divide up any part of the accrued surplus and to hand that over.

Mr. Forsythe: Who will estimate the total value of the pension fund? Which actuaries will be involved? Will there be actuaries representing the BBC, will there be actuaries representing the new firm and will Government actuaries be involved in order to arrive at a satisfactory conclusion?

Mr. Sproat: That is a very fair question. The answer is that the BBC will take the advice of its actuaries; no doubt the new undertaking that purchases the transmission service will have its own actuaries. In addition, under clause 126, my right hon. Friend the Secretary of State has to approve the transfer of the scheme and she will agree to a transfer only if she is convinced by the Government actuaries that it is a fair way in which to do things.

Mr. Miller: Am I right in assuming, therefore, that if there was, say, a £1 million surplus attributable to the past contributions of the people transferred into the new company, the BBC could take a £1 million pension holiday? That would be much to the advantage of the licence payer, but clearly to the detriment of the 850 employees.

Mr. Sproat: What will happen is quite clear. I can see that I shall not convince the hon. Gentleman that it is not just clear but right. I believe that our proposal is right. I looked at the matter carefully after the hon. Gentleman's comments in Committee. The accrued surplus will remain with the BBC; it will remain for the pension fund that will service the 44,000 other BBC employees who will remain in it rather than for the 850. The 850 over 44,000 share will not be transferred because keeping a surplus is the responsibility of the BBC pension fund. The BBC provides the fund and it must maintain it for the benefit of the 44,000. However, I understand that under the proposed scheme, the three options that I set out to the hon. Member for South Antrim (Mr. Forsythe) will be available and the BBC will give every possible financial advice to those employees transferred as to which of the three options is best for them.

Amendments Nos. 51 and 52, tabled by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), seek to ensure that the quality of transmission services in less populated areas will be maintained for 25 years following the privatisation of the BBC's transmission network. The hon. Gentleman's concern is understandable, but I hope to convince him—in this case, at least—that it is unnecessary.

Under the Broadcasting Act 1990 and the agreement between my right hon. Friend the Secretary of State and the BBC, the ITC and the BBC are responsible for establishing and maintaining the standards of quality, coverage and reliability of the four main terrestrial channels. That did not change when the IBA's transmission network was privatised in 1991 and it will not change with the privatisation of the BBC's transmission network.

As the hon. Gentleman will know from our previous discussions, the ITC and the BBC have achieved 99.4 per cent. coverage for their services in the United Kingdom and 98.3 per cent. in Wales. That impressive level of service will be maintained following privatisation.

The Government have already pledged that analogue transmissions will not be switched off until a roughly equivalent level of service is provided by digital terrestrial television. That will ensure that the interests of all viewers—including those in sparsely populated areas—are protected.

I hope that hon. Gentleman will be reassured that the privatisation of the BBC's transmission network will in no way disadvantage people in less populated areas of the country and withdraw his amendment.

I now turn to amendments Nos. 254 and 255, tabled by the hon. Member for Moray (Mrs. Ewing). Having had the honour to represent her part of the country, I well understand the strong feelings of people there. The amendments seek to ensure equality of access to transmission services for those living in less populated areas, following the privatisation of the BBC's transmission services. The amendments would provide for the quality of transmission services in such areas to be enhanced and then maintained for 25 years following privatisation.

Let me first reassure the hon. Lady and the House that the privatisation of the BBC's transmission network will in no way disadvantage people in less populated areas. I explained why a few moments ago in answer to hon. Member for Ceredigion and Pembroke, North. It is a long-standing principle of Government policy that broadcasters are not required to provide a television service to every potential viewer because of the cost and the technical difficulty of reaching small and scattered communities. That followed the recommendation of the

[Mr. Sproat]

Annan committee in 1977 that there should be no obligation on the broadcasting authorities to provide satisfactory coverage to communities of fewer than 500.

Mrs. Ewing: People in those areas are required to pay the same licence fees as everyone else, but they do not receive the same level of service. Could there be some adaptation in the light of that?

Mr. Sproat: Again, I know from personal experience that that irritates many people in those areas, but alas the television licence is no guarantee of the quality of reception; it simply gives permission to receive reception. I hope that some of the problems that the hon. Lady mentioned will be addressed and improved when we get digital television. In the meantime, I can say only that the Annan committee made that recommendation in 1977 and successive Labour Governments—for a few months, anyway—and Tory Governments have stuck to that principle.

The Government have pledged that analogue transmissions will not be switched off until a roughly equivalent level of service is provided by digital terrestrial television. That will ensure that the interests of all viewers—including those in sparsely populated areas—are protected, so I ask the hon. Lady to withdraw her amendment in light of that assurance.

Mr. Dafis *rose—*

Madam Speaker: The hon. Gentleman has already spoken on this group of amendments, so I am afraid that I cannot allow him to do so again. I must put the Question.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 31

TRANSFER SCHEMES: SUCCESSOR COMPANIES

'. Schedule *(Transfer schemes relating to the BBC transmission network: successor companies)* (which makes provision about the accounts etc. of wholly-owned subsidiaries of the BBC to which any property, rights or liabilities are transferred in accordance with a transfer scheme) shall have effect.'.—*[Mr. Wells.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 25

LOCAL LICENCES

'. After section 106 of the 1990 Act there is inserted—

"Variation of local licence following change of control

106A.—(1) Any local licence granted to a body corporate before the commencement of this section shall be taken to include—

(a) a condition requiring the body to give the Authority advance notice of any proposals known to the body that may give rise to a relevant change of control, and

(b) a condition requiring the body to provide the Authority, in such manner and at such times as they may reasonably require, with such information as they may require for the purposes of exercising their functions under subsection (3).

(2) Subsection (3) applies in relation to any local licence which—

(a) was granted before the commencement of this section,

(b) is held by a body corporate, and

(c) has not previously been varied under that subsection.

(3) Where, in relation to any local licence to which this subsection applies—

(a) the Authority receive notice, in pursuance of a condition imposed under subsection (1) or section 88(2)(d), of any proposals that may give rise to a relevant change of control, or

(b) a relevant change of control takes place (whether or not that change has been previously notified to the Authority),

the Authority may vary the licence, by a notice served on the licence holder, so as to include in the licence such conditions as they consider appropriate for the purpose of ensuring that the character of the local service is maintained after the relevant change of control.

(4) Subject to subsection (5), any new or varied condition imposed under subsection (3) in relation to any matter may be more onerous than any existing condition imposed under section 106(1) in relation to that matter; and in this subsection "existing condition" means a condition of the licence as it has effect, or had effect, before the relevant change of control.

(5) The Authority may not under subsection (3) include any new or varied condition in a licence unless the new condition or the condition as varied is one which (with any necessary modifications) would have been satisfied by the licence holder—

(a) during the three months immediately before the relevant date, or

(b) if the Authority consider that the performance of the licence holder during that period is not typical of its performance during the twelve months before the relevant date, during such other period of three months during those twelve months as they may notify in writing to the licence holder;

and for the purposes of this subsection "the relevant date" is the date of the relevant change of control or, if earlier, the date on which the Authority exercise their powers under subsection (3).

(6) The Authority shall not serve a notice on any body under subsection (3) unless they have given it a reasonable opportunity of making representations to them about the variation.

(7) Where, in any case falling within paragraph (a) of subsection (3), a notice under that subsection is served before the change to which it relates takes place, the variation shall not take effect until the change to which it relates takes place.

(8) The power in subsection (1) of section 106 to vary conditions imposed under that subsection includes power to vary conditions imposed under subsection (3).

(9) In this section "relevant change of control" means a change in the persons having control over the body holding the licence." '—*[Mr. Sproat.]*

Brought up, and read the First time.

Mr. Sproat: I beg to move, That the clause be read a Second time.

The new clause arises from the commitment that I gave in Committee on 21 May to discuss with the Radio Authority what further safeguards might be necessary following our liberalisation of the ownership of local radio licences.

A number of hon. Members expressed concern that our liberalisation could lead to predators purchasing existing licensees simply to use that licence to transfer an existing

AM service on to digital. We are confident that the promises of performance attached to licences can be rigorously enforced to prevent that, and I point to the Radio Authority's recent imposing of fines on a number of stations that failed to remain within the terms of their promises as evidence.

However, the Radio Authority expressed concern that many of the existing promises of performance were drafted in general terms when there were tighter limits on the ownership of more than one station in a local area. The authority pointed out that such promises might not be a sufficient safeguard against the concerns that hon. Members had raised. The new clause will therefore enable the authority to revise local licences upon a change of control in order to write tighter promises of performance that accurately reflect the character of the station's output immediately before the change of control.

I stress that the new clause contains the minimum powers necessary for the authority to update promises of performance in the light of the more liberal ownership regime introduced by the Bill. The authority's power applies only to licences issued before the ownership liberalisation takes place and licences can be varied only on one occasion. The new clause, which the authority has welcomed, balances strengthening licences drafted in a tighter ownership regime with the Bill's deregulatory spirit.

Dr. Moonie: We welcome the Government's new clause. A very long list of amendments has been made, and it is interesting how often the Government have taken account of comments made by hon. Members of all parties. Like the Minister, I commend the new clause to my hon. Friends.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 8

THE QUALIFYING TELETEXT SERVICE

'.—(1) If the public teletext provider has notified the Commission under section 2(4A) of his intention to provide a teletext service for broadcasting in digital form as a qualifying service, he shall submit to the Commission his proposals for providing that service in compliance with the requirements specified in subsection (3).

(2) The Commission shall give their consent to the provision of the service unless it appears to them that the proposed service would not comply with the requirements specified in subsection (3).

(3) The requirements referred to in subsections (1) and (2) are—

(a) that the service includes a sufficient amount of news items which are of high quality and deal with both national and international matters,

(b) that the service includes a sufficient amount of information which is of particular interest to persons living within different areas for which the service is provided, and

(c) that (taken as whole) the service includes a sufficient amount of information (other than news) which is calculated to appeal to a wide variety of tastes and interests.

(4) Where the Commission have given their consent under subsection (2), they shall vary the relevant licence held by the public teletext provider so as to include such conditions as appear to them to be appropriate—

(a) for imposing on the public teletext provider, in specified circumstances, an obligation to provide the qualifying teletext service, and

(b) for securing that the qualifying teletext service, if provided, accords with the proposals submitted under subsection (1);

and they may include those conditions in any other licence under which the analogue service is subsequently provided.

(5) Sections 6 to 12 of the 1990 Act (general provisions relating to services licensed under Part I of that Act) shall apply in relation to the qualifying teletext service as they apply in relation to the analogue service, but as if the reference in section 12(1)(b) of the 1990 Act to the Commission's functions under Chapter II of Part I of that Act included a reference to their functions under this Part.

(6) In this section—

"the analogue service" means the service referred to in section 49(2) of the 1990 Act,

"the relevant licence" means the additional services licence (within the meaning of Part I of the 1990 Act) under which the analogue service is provided.'.—*[Mr. Sproat.]*

Brought up, and read the First time.

Mr. Sproat: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss also Government amendments Nos. 56 to 66.

Mr. Sproat: The new clause and the consequential amendments fulfil a commitment made to the public service teletext licence holder, Teletext Ltd., that there should be no requirement to simulcast its existing analogue service on the capacity on the channel 3/Channel 4 multiplex reserved for it. That would be unnecessarily restrictive, and would deny Teletext the opportunity to use the new technology to its fullest potential.

The new clause therefore allows Teletext to propose to the ITC a new service to be broadcast on the reserve capacity. That service must meet the same general quality threshold required of the existing analogue service, but Teletext is free to suggest new ways in which to do that, rather than having to meet specific minimum requirements for numbers of pages on certain subjects, as it had to do to obtain its analogue licence.

If the ITC is content with Teletext's proposals, the existing licence will be varied accordingly to allow a new digital service to be broadcast. There will be no change in the licence conditions covering the analogue service.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 26

DIGITAL BROADCASTING OF GAELIC PROGRAMMES

'.—(1) The Secretary of State may by order provide for the Commission to include in any multiplex licence granted in respect of one frequency to which section 26 applies such conditions relating to the broadcasting of programmes in Gaelic for reception wholly or mainly in Scotland as may be specified in, or determined by them under, the order.

(2) The Secretary of State may by order require the holder of a multiplex licence ("the holder"), in complying with any such conditions, to broadcast programmes in Gaelic supplied by each of the persons mentioned in subsection (4) ("the suppliers") amounting to such minimum number of hours (if any) of transmission time per year as may be specified in the order in relation to that supplier.

(3) For the purpose of enabling the holder to comply with any such conditions and any obligation imposed by virtue of subsection (2), it shall be the duty of each supplier to provide the holder, free of charge, with such programmes in Gaelic which have been broadcast by the supplier as the holder may request.

(4) The suppliers are—

(a) the BBC,

(b) the Channel Four Television Corporation,

(c) any holder of a Channel 3 licence to provide a regional Channel 3 service (within the meaning of Part I of the 1990 Act) for reception wholly in Scotland, and

(d) such other persons providing television broadcasting services as may be specified by order by the Secretary of State.

(5) Subsection (3) shall not apply in relation to any programme first broadcast by the supplier concerned—

(a) before 1 January 1993, or

(b) in the period beginning on 1 January 1993 and ending on 31 March 1997, if the supplier has no right to broadcast it again or has such a right but is not entitled to transfer it to the holder.

(6) The holder may broadcast any programme supplied by virtue of subsection (3) on one occasion only.

(7) The holder shall consult Comataidh Craolaidh Gaidhlig and the suppliers about—

(a) the quantity of programmes likely to be requested by the holder from each supplier by virtue of subsection (3), and

(b) the schedules proposed for the broadcast by the holder of programmes supplied by virtue of that subsection,

and shall have regard to any comments made as a result of such consultation.

(8) Any order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(9) In this section "Gaelic" means the Gaelic language as spoken in Scotland.'.—*[Mr. Sproat.]*

Brought up, and read the First time.

Mr. Sproat: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss also new clause 39—*Financing of programmes in Gaelic out of Gaelic Television Fund*—

'(1) Section 183 of the 1990 Act (financing of television programmes in Gaelic out of Gaelic Broadcasting Fund) is amended as mentioned in subsections (2) and (3).

(2) In subsection (6) there is inserted after the second 'Committee', "for broadcast on an analogue service".

(3) After subsection (6) there is inserted:—

"(6A) The Committee shall seek to coordinate the provision of Gaelic television programmes broadcast in Scotland using digital capacity on a multiplex service; and may do this by applying for a digital additional service licence under section 22 of the Broadcasting Act 1996, either:

(a) on its own, or

(b) in association with other interested bodies.".'.

Mr. Sproat: The new clause will increase the amount of Gaelic television programmes broadcast at peak time in Scotland. As I stated in Committee, the Government intend to place an obligation on the ITC to ensure that the operator of the third digital multiplex service includes in Scotland a minimum of half an hour of Gaelic programmes in peak time every day as part of its service. The clause also places an obligation on existing broadcasters of Gaelic programmes to make available free of charge Gaelic programmes that they have previously broadcast for retransmission as part of the digital multiplex service.

I must make clear that the Government intend that any additional costs should be met entirely by the broadcasters and not by the Gaelic Television Committee. To this end, we will be asking the ITC to monitor the costs of committee-funded programmes closely to ensure that the broadcasters do not pass on additional costs to the committee. Taken together, the new measures will significantly increase the amount of Gaelic programming available at peak times in Scotland, and I hope that they will be warmly welcomed by the Gaelic-speaking community.

4.15 pm

Mr. Robert Maclennan (Caithness and Sutherland): I welcome the measure contained in new clause 26, which will help to put in place the mechanism to allow the proposed half hour of Gaelic programmes to be broadcast on one of the new digital multiplexes. While the measure is broadly acceptable, will the Minister clarify what he understands to be the purpose and effect of subsection (4)(d)? If the Gaelic Television Committee were to become a broadcaster in its own right, will that subsection enable it to provide programmes directly to the multiplex holder?

I commend to the Minister and to the House new clause 39, standing in my name and that of the hon. Member for Kirkcaldy (Dr. Moonie). The Gaelic Televison Committee welcomed the Government's announcement in Committee on 9 May that a minimum of half an hour per day would be allocated for Gaelic broadcasts on one of the new digital terrestrial channels. This has been seen as a definite step in the right direction, but there is concern that the committee will still be unable to operate as a broadcaster. The Gaelic Television Committee may still be held to ransom by broadcasters to subsidise what they decide are the Gaelic programmes that they ought to put out.

There may be some conflict of interest between the 68,000 Gaelic speakers, to whom the Minister referred, and the wider community that has been targeted by the makers of Gaelic programmes—with some considerable success—in Scotland. The Gaelic Television Committee is anxious that the interests of the Gaels should not be overlooked.

Mr. Dafis: Does the hon. Gentleman look forward to the day when similar provision as is made for Gaelic speakers in Scotland and Welsh speakers in Wales is made for speakers of the Irish language in Northern Ireland? Would he welcome the establishment of an Irish language television fund or committee that could provide programmes to be shown on the new Irish language television channel, Teilifis Na Gaelige, emanating from the Irish Republic?

Mr. Maclennan: I should be interested to see such a development if it stemmed from Northern Ireland. Most British Governments would be interested to hear such proposals, but it is not for me to put Erse words into the mouths of broadcasters in Northern Ireland. I accept what the hon. Gentleman says about that interesting possible development.

I am anxious to ensure that the most cost-effective means of providing Gaelic services on the third multiplex is achieved. I believe that it could be, if provision were made for the committee to co-ordinate the feed of Gaelic

programming into the third digital multiplex and for that committee or its agent to be licensed by the Independent Television Commission to provide the programme service to the multiplex operator. That is the purpose behind new clause 39.

There is concern that there is an imbalance between the power of the broadcasters and the duty of the committee, which is essentially a funder—in some cases, funding up to 100 per cent.—and is operating without a great deal of influence over the content of the programmes that it is funding. That situation requires statutory rectification. I hope that the Government will look with favour on that proposal.

The Gaelic Television Committee is a representative body and it has shown considerable expertise. It would discharge the role of broadcaster well. It would be in line with what would seem to be the Government's intentions—stepping up the provision of Gaelic—if they accepted the new clause.

Sir Hector Monro (Dumfries): As one of the instigators of the early-day motion that was signed by a large number of right hon. and hon. Members on both sides of the House suggesting that we give additional support to the Gaelic Television Committee, I think that the Government have reacted, bearing in mind what a success Gaelic broadcasting has been. I have visited the studio in Stornoway and met those involved. There has been warm acceptance throughout Scotland of the number of hours of Gaelic television shown. Indeed, a great many people who cannot speak Gaelic enjoy watching the programmes with subtitles. I am glad about the Government's reaction, and I welcome the new clause.

Mr. Sproat: I pay tribute to my right hon. Friend the Member for Dumfries (Sir H. Monro) for the tremendous work he did when he was at the Scottish Office to ensure that there was such an increase in Gaelic broadcasting. I am sure that the Gaelic-speaking community will be grateful to him for all he did.

I thank the hon. Member for Caithness and Sutherland (Mr. Maclennan) for his explanation of his new clause. He wants to create out of the Gaelic Television Committee a body quite different from that set up under the Broadcasting Act 1990. As I explained in Committee, the statutory powers of the Gaelic Television Committee are confined to the payment of grants. It is exercising those powers to good effect, as shown by its figures for the number of hours of Gaelic programmes being transmitted.

The committee's structure, which was devised to take into account the scale of the Gaelic-speaking community and the nature of the broadcasting industry, remains valid at this stage in the evolution from the analogue to the digital age. Moreover, the Government have provided for the multiplex provider to consult the committee on the nature and scheduling of the programmes to be broadcast.

In response to the question of the hon. Member for Caithness and Sutherland, I emphasise, however, that I do not see a role for that committee as a broadcaster. It is a grant-giving and advisory body, and it is not our intention that it should be a broadcaster. Potential applicants for the third digital multiplex—

Mr. Calum Macdonald (Western Isles): The Minister will know that the intention is to open up the supply of programmes into the digital field. Can he clarify subsection (4)(d) of new clause 26, and say whether the Gaelic Television Committee could be one of the suppliers mentioned in that subsection, because that would go a long way to meeting the concerns of the committee about being able to provide a supply of programmes when the digital field comes on stream?

Mr. Sproat: No, I cannot give the hon. Gentleman that assurance. That is what I was trying to tell the hon. Member for Caithness and Sutherland. The Gaelic Television Committee is an extremely important body, both in the grants and advice that it gives and the part it has played in the success of increasing the number of Gaelic programmes in Scotland. Indeed, as my right hon. Friend the Member for Dumfries said, many people who do not speak Gaelic enjoy watching the programmes with subtitles.

Having said that, I must add that we do not envisage an expansion of the role of the Gaelic Television Committee into the kind of supplier referred to by the hon. Gentleman. I emphasise, however, that the extra 30 minutes each day in peak time in Scotland, and the free giving of programmes that have already been transmitted by the BBC, STV or Grampian, constitute a major increase for the Gaelic-speaking community. For the moment, we are leaving it there.

Mr. Macdonald: Who are the

"other persons providing television broadcasting services"

mentioned in subsection (4)(d)? Does that specifically rule out the Gaelic Television Committee, or does it leave open a question that might be decided at a future stage?

Mr. Sproat: The persons referred to in the subsection are any other persons that the multiplex operator decides should provide services. It could mean Channel 5, or it could be a group that the committee helped to put together. There is no reason why that should not happen, but the committee itself cannot be a broadcaster in the strict and proper sense of the term.

Potential applicants for the digital multiplex can expect the Independent Television Commission to give careful consideration to their proposals for consulting the Gaelic community in general, and the Gaelic Television Committee in particular. I hope that I have convinced the hon. Member for Caithness and Sutherland that he should not press new clause 39.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 32

POWERS OF SECRETARY OF STATE IN RELATION TO CODE ABOUT PROVISION FOR DEAF AND VISUALLY IMPAIRED

'(1) The Secretary of State may by order—

(a) amend subsection (1B) of section 20 by substituting for any percentage specified there a percentage specified in the order, and

(b) require the Commission to include in the code maintained under that section the requirement that in each week, at least a percentage specified in the order of so much of any digital programme service or qualifying service as consists of programmes which are not

excluded programmes for the purposes of that section in relation to presentation in, or translation into, sign language is to be so presented or translated.

(2) In subsection (1) "qualifying service" does not include the qualifying teletext service.

(3) Before making an order under subsection (1), the Secretary of State shall consult the Commission.

(4) No order under subsection (1) shall be made unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.'—*[Mrs. Virginia Bottomley.]*

Brought up, and read the First time.

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following: Government new clause 33—*Compliance with code about provision for deaf and visually impaired.*

Government amendments Nos. 165 to 171.

Mrs. Bottomley: As the House will be aware, the Commons Committee voted to accept the amendments tabled by my hon. Friend the Member for Harrow, West (Mr. Hughes) on signing, subtitling and audio-description. The effect of those amendments was to introduce a requirement on multiplex providers to ensure that, by 10 years from the commencement of digital terrestrial television, 95 per cent. of all programme hours should be subtitled, 10 per cent. should be presented in sign language and 50 per cent. should be accompanied by audio-description for blind and partially sighted people.

The Government fully appreciate the importance of television to people with sensory disabilities, as a source of information, education and entertainment and as a vital link to the outside world. I share my hon. Friend's concern that we should do everything possible to make television more accessible, and congratulate him on the splendid way in which he has conducted a very effective campaign to achieve his ends—although it was somewhat bruising at times.

This is a matter on which we have a good record. The proportion of programmes subtitled on analogue terrestrial television has risen steadily in line with the provisions of the Broadcasting Act 1990, for which I commend my predecessor, my right hon. and learned Friend the Member for Putney (Mr. Mellor). That proportion continues to rise, and will be replicated on digital terrestrial television as part of the existing broadcasters' simulcasts. This is a point on which there has been some misunderstanding, so let me be unequivocally clear. The subtitling requirements on the existing terrestrial broadcasters will apply to their digital simulcasts, and will continue after analogue switch-off.

My hon. Friend the Member for Harrow, West has pressed us on these issues in order to secure further concessions. As he will know, my noble Friend Lord Inglewood explained the position admirably in another place, as did my hon. Friend the Minister of State—to whom I shall pay tribute on many occasions, both on Report and on Third Reading—in Committee. While we remain genuinely sympathetic to my hon. Friend's cause, we believe that the existing provision in the Bill would severely, and perhaps fatally, damage digital terrestrial television's prospects, with a consequent loss of services for all viewers. That concern has been shared by the BBC, ITV, Channel 4 and the ITC.

The television companies and the ITC made three essential points. First, the target quotas are set at an impracticably high level. A requirement to subtitle 95 per cent. of programming would be virtually unworkable. Some programmes—for example, some live studio debates—are extremely difficult, if not impossible, to subtitle at the moment.

4.30 pm

For sign language interpretation, the technology which would enable viewers with a home personal computer to trigger an animated signer from subtitles is not yet available. Without it, sign interpretation requires a significant amount of digital capacity, thus reducing the amount available for programmes. Research into the possibilities for audio-description is at an early stage. The limitations of the technology and its application are largely unexplored.

The second point of concern is that the current provisions do not take account of the nature of the programmes to be broadcast. In the digital era, many channels will be themed, showing a narrow range of programmes appealing to specific audiences or special interest groups. For some of these—for example, movie channels—subtitling will not pose any great technical difficulties, but other channels will have real problems.

Placing a 95 per cent. subtitling requirement on a live sport or live studio discussion channel is unrealistic at the present time, and would effectively disbar such programmes from appearing on digital terrestrial television, which would mean a loss of services for all viewers.

Thirdly, the cost of implementing the targets constitutes a serious threat to the competitiveness of digital terrestrial broadcasting, and so a significant disincentive to investment.

Mr. Miller: Will the Secretary of State explain how she arrives at the costs that she estimates? Has she based her assessment on the current technology used for providing such services, or on those which are under development in a wide range of research laboratories?

Mrs. Bottomley: I hope that some of the costs will fall, but at the moment subtitling requires a great deal of work by highly trained staff, using sophisticated and expensive video and computer equipment. My information is that it takes a year to train a subtitler, who can then subtitle about 30 minutes of screen time in a working day.

My hon. Friend the Member for Harrow, West has pressed on me the case for subtitling on many occasions. I understand that, in 1995-96—I am sure that the hon. Member for Ellesmere Port and Neston (Mr. Miller) is right that there has been progress since then—the BBC subtitled approximately a third of its network schedules. That cost it £4.7 million. The ITV Association estimates subtitling costs at £570 per programme hour. Costs of that order would be prohibitive for small companies, and would effectively bar new broadcasters from the market—the very broadcasters whom we hope will introduce a fresh diversity of new and innovative programming services into the digital arena.

At the heart of this matter is the need to find a solution which improves access for those with sensory disabilities, without imposing impracticable requirements on broadcasters which could jeopardise the viability of digital terrestrial broadcasting and the advantages that it will bring to all viewers. The aim of the Government's new clause and amendments is therefore to establish targets set at a realistic level and apply them, through the ITC code, to programme rather than multiplex providers.

Amendment No. 168 provides that, by the 10th anniversary of the introduction of any digital programme service, not less than 50 per cent. of non-excluded programme hours broadcast in any programme service should be subtitled to such technical standards as are specified by the ITC, and that not less than 10 per cent. of non-excluded programme hours broadcast should be presented with audio-description.

These target percentages are amendable by order. I will have the power to increase them to reflect future technological advances. This picks up the point made by the hon. Member for Ellesmere Port and Neston. So not only is what we propose the first rung on the ladder, but there is a clear and convenient mechanism for adding further rungs in response to improved technology, without the need for further primary legislation.

Mr. Rowlands: I apologise for interrupting the right hon. Lady, but will she explain why no obligation should be placed on the multiplex operators? In Committee, it was discovered that multiplex operators would be involved in quality of programming and a host of other issues related to programmes. Surely there should also be some obligation on the multiplex operators.

Mrs. Bottomley: The secret is to have an arrangement which delivers the results in the most effective way possible. The issue is the responsibility and work of the programme maker rather than the multiplex operator.

We want to avoid everyone at every level taking on an additional element of involvement. We want the right body to deliver the results. As my hon. Friend the Minister explained most persuasively in Committee, that right body is more appropriately the programme maker rather than the multiplex operator. I believe that that is a pragmatic approach, based on which body will deliver the results most effectively. As with virtually every other part of the Bill, we have been at pains to listen to the regulators about what would deliver the result most effectively, as well as to listen to the views of hon. Members and other experts.

The targets will be specified in the Bill as matters that must be included in the ITC's code. Adherence to that code will be a licence condition for all broadcasters. So we believe that we have the proper mechanisms in place to deliver the improvements that the House is seeking.

In view of the early stage of development of the technology associated with on-screen sign language, we have decided that it would not be appropriate to set a percentage target in the Bill for sign language presentation. New clause 32, however, contains a power for me to set such a target by order, after consultation with the ITC, as soon as the technology permits.

Since finalising the new clause, I have talked further with my hon. Friend the Member for Harrow, West and others, and I have reconsidered the position in the light of the strength of the arguments that they have put to me. I have therefore decided, after the necessary consultation with the ITC, to introduce by order a 5 per cent. target for sign language. I have been convinced that that will give the spur needed to broadcasters to make positive efforts in that area, without imposing unachievable targets upon them.

I recognise that that target will be demanding for broadcasters, but I am sufficiently satisfied that it was the introduction of a numerical target in the Broadcasting Act 1990 that caused the substantial changes that we have seen. We should replicate that experience.

Amendment No. 168 provides that the ITC may exclude certain types of programmes from the targets set in the Bill. The ITC will identify, in consultation with broadcasters and, most importantly, organisations representing the interests of those with sensory impairments—my hon. Friend the Member for Harrow, West was right to press for that—which types of programme should be excluded. In so doing, the ITC will draw on its expertise in this area to determine the types of programme for which it would not be practicable to require the levels of assistance set out in the Bill, or in the order.

But let me emphasise, and make it unequivocally clear, that we expect those exclusions to be the exception rather than the rule: the vast majority of programme services will be subject to the targets set out in the Bill. Also, exclusion does not mean complete exemption. It simply means that lower targets than those appearing in the Bill should be applied. I am writing today to Sir George Russell to emphasise those points, and I can make that letter available.

There can be no doubt that the proposals represent real gains for viewers with sensory disabilities. The existing broadcasters will continue to meet the subtitling target set under the 1990 Act on analogue; those requirements will read across to digital as part of those broadcasters' simulcasts, and will remain in place after analogue switch-off. Furthermore, in addition to maintaining existing broadcasters' subtitling responsibilities, the proposals will also ensure that a similar proportion of new digital programming will be subtitled. By any calculation, that represents a considerable increase in the overall amount of programming that will be available with subtitles.

Our proposals also provide that, for the first time, a firm target of 10 per cent. is set for audio-description for existing and new broadcasters. I have also now made it clear that there will be a 5 per cent. target for sign language. Again, that will apply to the simulcast services as well as to the new channels.

Our proposals also recognise that many different types of programme service are likely to be broadcast on digital television, and provision of subtitling, signing or audio-description at the same level will be extremely difficult for some of those programme types.

Mrs. Anne Campbell (Cambridge): I simply want to ask whether the 5 per cent. target for sign language represents 5 per cent. of all programmes that are broadcast or 5 per cent. of those after the excluded programmes have been removed? Can the right hon. Lady clarify that?

Mrs. Bottomley: As I have explained, there is room for exemptions for all the numerical targets, but they will be a minority. Programmers will be set the 5 per cent. target, but they may be allowed some exemptions. As the letter to Sir George Russell makes clear, however, those exemptions must be a minority and dealt with exceptionally.

Mrs. Campbell: That was not the point I was making. I asked whether 5 per cent. was 5 per cent. of all programmes broadcast or 5 per cent. of those remaining after the excluded ones had been taken out.

Mrs. Bottomley: It is 5 per cent. when the excluded ones have been taken out, but the key is that there must be the strictest interpretation of the exclusions.

Mr. Dafis: Does the Secretary of State have any calculation of what the percentage of the total would be?

Mrs. Bottomley: What I made clear was that I expect the exemptions to be an absolute minimum, so I expect broadcasters to achieve their targets as set out on the face of the Bill.

The change is very significant. The credit should go to my hon. Friend the Member for Harrow, West for his persistence and vigorous championing of this cause. People with sensory disabilities have every reason to appreciate all that he has done.

I very much hope that the House will accept the new clauses.

Ms Angela Eagle (Wallasey): One of the highlights in Committee was holding a debate on this extremely important issue and making some progress—in fact, defeating the Government when we tabled the original amendment, which the amendments before us water down considerably. Argument raged around the idea that audio-description, subtitling and sign language would grow of their own accord. Those of us who voted for the amendment in Committee knew that, on the contrary, a quota was needed. I welcome the fact that the Government have accepted that, but I am extremely disappointed by the low levels of quota that seem to be being accepted.

We are talking about a quota of only 5 per cent. for sign language, but that is 5 per cent. of an already lower total, because exclusions will be allowed. The Secretary of State has refused to estimate what that 5 per cent. may be as a percentage of total programmes broadcast; it is a pity that she did not feel able to do so.

When she replies, will the Secretary of State tell us why programmes will be allowed to be excluded? All three different ways of communicating with people with sensory deprivations are extremely sophisticated in their own right. Anyone who has seen someone signing a song knows that it is the most incredible experience to see how effectively sign language can communicate. I wonder why any programmes should be excluded. By doing so, we are saying that people who have these disabilities can be excluded from a whole section of programme making. I can think of no reason why there should be exclusions.

I am disappointed by the low percentages of coverage of the targets to which new clauses 32 and 33 refer. I do not see why we could not have tried to do better for the many millions of people who suffer from sensory deprivations, to try to include them in the digital revolution at a time when the technology has finally allowed extra space in the spectrum to enable us to broadcast these extra visual helps to those with sensory deprivations, without interfering directly with mainstream channels.

There is no need for the terrible box at the side in which one must watch the signer; these services could be broadcast on a completely different channel. The watering down that has resulted in new clauses 32 and 33 has denied us a real opportunity to include in the digital revolution millions of our fellow citizens who suffer from these disabilities.

I welcome the Government's acceptance of the principle that a quota is the way to progress. I am bitterly disappointed that the Secretary of State could not have ensured that the percentages for coverage with these new services for those with sensory deprivations were much higher than the 5 or 10 per cent. of a total that, because of her issue about excluded programmes, is already lower than what our original amendment, tabled in Committee, would have allowed.

Millions of people with disabilities will be bitterly disappointed by the very modest targets that the Secretary of State has set herself, and by the fact that the chance seems to have passed her by to include millions of our fellow men and women with sensory deprivations in the digital terrestrial broadcasting revolution.

4.45 pm

Mr. Robert G. Hughes (Harrow, West): The announcements by my right hon. Friend the Secretary of State mark several significant steps forward for people who are profoundly deaf and for the blind. On the face of it, the three amendments that I forced through in Committee—admittedly, with the help of the Opposition parties—set very high thresholds, and made a very significant move forward. I shall seek to explain why the House should accept this compromise.

Ms Eagle: It is too modest.

Mr. Hughes: I will come to that, if the hon. Lady stops seeking to interrupt.

I am very grateful to all those people who helped me to put pressure on for those things—not only people in the lobbying organisations, but Members on both sides of the House. Specifically, my right hon. and learned Friend the Member for Putney (Mr. Mellor), the former Secretary of State, was very influential, and I gather that my hon. Friend the Member for Woolwich—

Mr. Peter Bottomley (Eltham): Eltham.

Mr. Hughes: I gather that my hon. Friend the Member for Eltham (Mr. Bottomley) was influential in these matters as well.

The Bill provided a one-off opportunity. We had to achieve a very specific agenda for the profoundly deaf and for the blind—to get thresholds on to the face of the Bill. As my right hon. Friend the Secretary of State said, had we not had the specific and escalating threshold for subtitles in the Broadcasting Act 1990, we should not have been in the position we are in now.

My right hon. Friend adopted a slightly different approach, but she has set in train the same thing. We have the 10 per cent. threshold for subtitling, which is the same as before; we have the 10 per cent. threshold for audio-description; and now, by order, we shall have the 5 per cent. threshold for the in-vision signing.

Provided that the House adopts my right hon. Friend's new clauses, their structure enables my right hon. Friend or any other Secretary of State of any party to increase those thresholds by order at any time that appears sensible. My right hon. Friend has sought to produce a compromise, holding the ring between the interests of the profoundly deaf and the blind and those of the industry trying to expand into this new digital era.

The broadcasters' arguments were over-egged. In private, they would tell one, "Well, of course we said that this would make digital television unaffordable, but perhaps we were laying it on a bit thick, and, yes, we could afford these things, although we would prefer to spend a bit less on them." One should bear that attitude in mind when being lectured by their documentaries about what the Government or Opposition or anyone else should do.

In achieving that balance, my right hon. Friend allows anyone to monitor what is going on, and allows a future Secretary of State to say, "There has been so much progress technically that I can now increase this threshold or double that one, and I can put pressure on the broadcasters." Therefore, the facilities available to the profoundly deaf and to the blind will escalate.

Mr. Maclennan: I admire the trenchant way in which the hon. Gentleman moved his amendments in Committee. I recognise too that politics is the art of the possible. But does he accept that the order-making power to which he refers could be used in either direction—to lower as well as increase the targets? That is the risk of the approach that we may be urged to adopt.

Mr. Hughes: Yes, I certainly considered that. I think it extremely unlikely that a Secretary of State would lower the targets, or be able to get that through the House. I had many dealings in government with the private Members' Bills on disability of a couple of years ago, so I know what strong feelings are generated on both sides of the House when it comes to this important subject. I therefore believe that the movement will be upward.

The list of excluded programmes worried me a lot. They were an invention by the Department. The consultation document issued by my right hon. Friend included a wide range of programmes that would be excluded, some of which were already subtitled and enjoyed by profoundly deaf people. For instance, "Top of the Pops" has a large audience of deaf people. The hon. Member for Wallasey (Ms Eagle) has already mentioned deaf signing for songs, which can be a moving spectacle. I myself have heard a number of deaf choirs sing in churches.

All this is well understood, so it was quite wrong to include such programmes in the list of exclusions. The same goes for sports programmes; in general, they should not be excluded, either. Euro 96 has been subtitled and enjoyed by many deaf people. The point that the industry has strongly made, to me and my right hon. Friend, is that there is scope, with the new digital services, for experimental programmes—mostly live services—that might cost almost as much as the original programmes' budgets. It was therefore right to allow programme makers to negotiate lower targets with the ITC, so as to get the services under way.

As my right hon. Friend said in her letter to Sir George Russell,

"programmes to which different targets apply are likely to be those which are predominantly live, though this might change as technology develops."

Certainly, technology is changing all the time, and in-vision signing and subtitling will be generated automatically, at least on some programmes, to a standard acceptable for those sorts of programme. Other programmes, however, will always need more detailed subtitling work.

Mr. Rowlands: The hon. Gentleman has negotiated in detail with the Government on this matter. Is he happy that no obligation is to be placed on multiplex operators?

Mr. Hughes: I did discuss that with my right hon. Friend. As she said a few minutes ago, it is a matter of pragmatic judgment. I thought the same as the hon. Gentleman when I framed the amendments to which we agreed in Committee. But my right hon. Friend's officials believe that the matter is best left to the programme makers. It is difficult to argue with that. It was indeed my view that the multiplex route was better, but that was only a personal view. What really matters is whether the services are going to be provided. Since they are, I will not argue about whether the obligation should be on the multiplexes or the programme providers.

This change will mean a great deal to the profoundly deaf and the blind: it is a great step forward for them. It provides them with access to entertainment that was beyond their grasp before. The new clauses will give them increasing access to the programmes they want to watch.

I know that the Royal National Institute for the Deaf, to whose officials I spoke earlier this morning, regards the move as a significant step forward, and believes that it should speed up in years ahead. The Royal National Institute for the Blind, of course, would like more audio-description. What is proposed in that area is relatively modest, and I trust that my right hon. Friend and her successors will continue to see what is possible. I think that this service could be increased more quickly than some of the others.

A constituent of mine, Phyllis Knowles, who has been profoundly deaf from birth, first interested me in deaf choirs, and so on, when I became a Member of this place in 1987. She invited me to be the president of the Harrow deaf club, a position I still hold. I am sure that she, who lobbied for many years for a fair deal for deaf people, would endorse what my right hon. Friend has done today.

Unfortunately, however, I attended her funeral last Thursday; just two weeks ago she was tragically killed in a car accident. She was a brave lady who never gave way, and who always believed that another step in the right direction could be taken. I believe that she, like others who are profoundly deaf or blind, would have welcomed what we are doing today.

Dr. John Cunningham: Historically, the broadcasters always resist advances for people with sensory disabilities. That is a well-known fact. When considering

[Dr. John Cunningham]

the amendments agreed to in Committee, the Secretary of State has obviously come down on the side of the broadcasters at the expense of people with disabilities. The proposals represent a retrenchment of the position we agreed in Committee.

I heard the Minister say, in the context of an earlier amendment, that a very large number of people would like Gaelic programmes with subtitles. I must inform him that there is a much larger group of people, nationwide, who would like to watch all programmes with subtitles—there are millions more of them. That is the target on which he should be concentrating; he should be thinking of the many who are deaf or hearing impaired.

The Government have been too negative in their approach throughout. I pay tribute to the hon. Member for Harrow, West (Mr. Hughes), a Back Bencher, and note that it is only because of his persistence—with the support of all the Opposition parties—that these provisions found their way into the Bill at all. Why was nothing included in the legislation at the outset? That is surely the acid test of whether the Government wanted anything done for people with disabilities. But there was nothing of this type in the Bill until the hon. Gentleman had the courage and persistence—supported by my hon. Friends and members of the minority parties—to move his amendments in Committee.

The Government are embarking on a new form of broadcasting. There has been a great deal of hype about the revolutionary nature of the technology. One of the big selling points of digital television has been the development of the highly successful multi-media industries. These are multi-million-pound businesses, not impoverished little organisations. The other big selling points are better pictures and sound, and more choice of channels.

It is rather misleading to claim more choice for people with sensory disabilities, however. There will be no more choice for them as a result of this technological innovation and expansion unless significant advances of the kind envisaged by the Committee are made on their behalf. If they are not, one of the Government's central claims for the introduction of this legislation will be denied.

One of the advantages of digital television is that it should be possible to add subtitles, sign language and audio description much more easily than at present. We currently have the capacity and the technology, but the willingness to use it more generously on behalf of people with disabilities is absent.

I listened carefully to the speeches of the Secretary of State and of the hon. Member for Harrow, West—I wanted to hear what he had to say before I spoke in the debate. The Secretary of State referred to cost—we are talking about highly profitable companies that are looking to expand their activities as a result of the legislation. The Secretary of State mentioned a figure of a few million pounds. If she is thinking about the cost, she should take the number of households that have one member with some impairment and then multiply that number of households by the amount of the BBC licensing fee. She will see that the licensing fee received from those households alone is much higher than the cost to which she referred. I do not accept her argument—nor will the millions of people about whom we are talking.

My hon. Friend the Member for Wallasey (Ms Eagle) referred to the movement of technology. I expect that voice recognition packages for technology will be commonly available in the period envisaged in the original amendments discussed in Committee. As my hon. Friend said, they are already available in some circumstances. I believe that they will be commonly and cheaply available in the future. With the rapid advances of technology, there is no reason to suppose that this will not be significant in reducing the cost.

5 pm

Contrary to what the Secretary of State claimed, the Government have a bad record, not a good one on support for people with disabilities—as we have seen repeatedly in the Chamber, over the years, in our attempts to give disabled people the rights that others enjoy. The Government do not come out of this well. The right hon. Lady has said that she is responding positively to what the Committee decided and to what her hon. Friend the Member for Harrow, West wants. However, she is responding at a level that is much lower than that envisaged by the Committee when it decided to make the changes.

The hon. Member for Harrow, West said that the Royal National Institute for Deaf People is happy about the compromise. He urged hon. Members to accept the compromise—as he is apparently doing—because the Royal National Institute for Deaf People is happy about it. However, the Royal National Institute for the Blind is less happy about the compromise. The hon. Gentleman did not say anything about the British Deaf Association or about the Deaf Broadcasting Council. Will he tell the House whether they are happy about the compromise? The Deaf Broadcasting Council wrote to all Members of Parliament on 26 June, and stated:

> "The RNIB, RNID, British Deaf Association, and Deaf Broadcasting Council do not consider that these steps come near to adequately meeting the needs of the people we represent. Therefore we urge you to resist any efforts to remove or weaken these amendments in next week's debate. An attempt to this end is almost certain to happen."

The council knew very well that such an attempt would come from the Government.

Mr. Robert G. Hughes: The right hon. Gentleman has raised a fair point. Naturally, all the organisations that he mentioned—they lobbied collectively—would be happiest with the highest possible thresholds. However, they have always understood that the important thing was to get thresholds into the Bill and the mechanisms within it, so that future Secretaries of State could increase them. That is the context in which I said what I did.

Dr. Cunningham: From what the hon. Gentleman has said, it is clear that not all the organisations that represent people with sensory disabilities are happy about or supportive of the Secretary of State's position—I put it no more strongly than that.

Ms Eagle: Does my right hon. Friend think that it is extraordinary that the hon. Member for Harrow, West (Mr. Hughes) seems to be saying that, now that we have the mechanisms in the Bill, it is for future Governments to do a much better job than his Government have done?

Dr. Cunningham: Yes, I was coming to that point. The warning bell was rung by the hon. Member for Caithness and Sutherland (Mr. Maclennan) when he said that giving Secretaries of State discretionary powers is often a

double-edged sword, because they can use them in many different ways—sometimes generously and benignly, and sometimes negatively and unhelpfully. We have yet to see the draft order, and it may be couched in terms that will allow only increases rather than decreases. That would be a hopeful sign.

There has been much comment about programme exclusions. Hon. Members should not seek to list programme exclusions—I believe that this is what the hon. Member for Harrow, West sought to do originally, and what the Committee agreed to do—but should seek to include as many people with disabilities as possible in the broadcasts of programmes and events that those of us who are fortunate enough not to suffer any of these disabilities enjoy regularly and as a matter of course in our everyday lives. I believe that that is the positive way in which legislation should approach these problems—and I shall wait for the Secretary of State's response. For those reasons, I ask hon. Members to resist the changes set out in the amendment.

Mr. Roger Gale (North Thanet): It is a great sadness that the right hon. Member for Copeland (Dr. Cunningham) should come as a Johnny-come-lately to the debate and seek to—

Dr. Cunningham: Just for the record—as the hon. Gentleman always begins his speeches with these sorts of comments—I have come to the debate at the exact same time, and on the same occasion, as the Secretary of State.

Mr. Gale: If the right hon. Gentleman had waited until I had finished my first sentence, he might have taken it in context. It is a great sadness that he has come as a Johnny-come-lately to the debate, apparently for the specific purpose of denigrating the remarks made by my right hon. Friend the Secretary of State.

The Westcliffe house Royal National for Institute for the Blind home and the Royal School for Deaf Children are in my constituency. I take a particular interest in matters affecting the community. I pay tribute to my hon. Friend the Member for Harrow, West (Mr. Hughes) for putting his case. However, I felt unable to support his measure—he knows this, we have discussed it—in Committee. As someone who has been involved in broadcasting for almost 30 years, I believe that what he proposes is practically and technically impossible—certainly not realisable within the context of the transfer from analogue to digital broadcasting and in the context of the investment that is necessary in digital broadcasting.

It does not surprise me in the slightest that Labour Members choose to pay no account whatever to cost. Cost is a consideration which must be taken into account, particularly by small television companies. It is blindingly obvious that my right hon. Friend the Secretary of State cannot possibly put forward any quota of programmes that might be discounted by the Independent Television Commission. That power has been given to the ITC, and it has been made clear to the House that that power will be used sparingly.

My right hon. Friend the Secretary of State—I understand that this is why my hon. Friend the Member for Harrow, West has chosen graciously to accept the Government amendments—has taken the sentiments expressed on both sides of the Committee and translated them into something practicable, not something that is blue sky, pie in the sky, unrealisable and, therefore, unfair to the people whose hopes we might have raised.

Mr. Miller: I thought that you understood the technology.

Mr. Gale: I do understand the technology and, as a result, I recognise the financial constraints placed on small companies by a blanket coverage of the kind suggested in Committee. Today we have proposed a workable step forward which has been recognised as such by the Royal National Institute for Deaf People and the RNIB. This morning, I received a letter from two constituents, Mary McCann and Peter Gallagher, who are pupils at the Royal School for Deaf Children. They say:

"As deaf people the provision of Sign Language interpreting and subtitles is very important because both facilities help us to access the information.

We do not want subtitling reduced. Without it we cannot understand the programmes and are denied information.

We understand that interpreting can be distracting and therefore could not be offered on many programmes. However, we hope that the Breakfast News will still be subtitled.

Please will you put our feelings forward to Parliament".

My right hon. Friend has met their concerns. She made it plain this afternoon that the existing subtitling that is available on analogue television will be transferred to simulcast when digital and analogue are simulcast and will then be rolled over into digital when analogue is taken off air.

Mrs. Anne Campbell: Will the hon. Gentleman explain to his constituents—who correctly make the point that sign language interpreting and subtitling improve their understanding of television programmes—that, if that provision is available on the new digital services, viewers who are not hard of hearing will be able to turn off the services and therefore not be distracted by them? I hope that that is understood.

Mr. Gale: That is not the point that my constituents were making: they want the existing service to continue. My right hon. Friend has made it absolutely plain that the existing service will be not only continued but enhanced. The Secretary of State said—to those who bothered to listen—that she would go down the path that was first trodden by my right hon. and learned Friend the Member for Putney (Mr. Mellor) in 1990. Those of us who served on the Committee that examined that legislation will remember clearly the way in which he introduced a measure of subtitling that was realisable and achievable. It was a significant move forward in the provision of facilities for our constituents who suffer aural or visual disabilities. The Secretary of State has taken that a step further this afternoon—and she has done so in a measured and a realisable manner.

That is the sensible way forward. The Government's proposals are workable and I am delighted that my hon. Friend the Member for Harrow, West understands that and is prepared to accept them. I hope that the rest of the House will do likewise.

Ms Liz Lynne (Rochdale): I am pleased that the Secretary of State has come forward with some proposals. The 5 per cent. target for sign language interpretation is

[Ms Liz Lynne]

welcome, but I still do not believe that the amendments go far enough. I know that many blind and visually impaired people and many deaf and hard-of-hearing people will not feel that the Government amendments address the real problems.

For instance, I gather that subtitling exemptions will be increased from what was passed in Committee. Again, I do not honestly think that that is acceptable. That will mean that programmes that could have been seen by a large number of disabled people will not be able to be accessed. We must protect the provisions that were passed in Committee. Deaf and visually impaired people are excluded enough—there are 8.7 million deaf, hard-of-hearing or visually impaired people in the United Kingdom. On average, hearing people can listen to 672 hours of television a week. At present, only two hours of that is in sign language.

These people pay their television licence fee. There is a £1.25 reduction for blind people—that is an absolute disgrace. People are paying to be able to access all programmes. Although, as I said, it is welcome that the Secretary of State has moved to a certain extent, I believe that many people throughout the country will be deeply disappointed in the Government again. I must pay tribute to the hon. Member for Harrow, West (Mr. Hughes) for his work in getting the Government to move this far. It is a small step in the right direction. Unfortunately, it is only a small step and we will have to vote against the amendments.

5.15 pm

Mr. Peter Brooke (City of London and Westminster, South): I sympathised with the amendments moved in Committee by my hon. Friend the Member for Harrow, West (Mr. Hughes)—although his arguments might have been more persuasive to sympathisers like me if, in sending out extracts from the Committee transcript, he had supplied copies of the Minister's speech as well as his own. That might have given us a clearer idea of the scale of his requests.

I came to listen to my right hon. Friend the Secretary of State today—given my sympathies with my hon. Friend's argument—not least because one of my grandfathers was deaf and one of my grandmothers was blind. Although I understand that only one of those conditions is potentially hereditary, I lived through the experience of those disabilities in my immediate family and I sympathise with those who suffer from them.

I am not prone to disloyalty to the Government—as the Whips may be reassured to hear—and I am conscious that I have exhausted my personal quota of disloyalty to my right hon. Friend in another capacity. However, it is not merely chivalry that causes me to say that I shall support the Government this evening. My right hon. Friend has listened to the debate, responded fairly to the points put to her and been flexible. In those circumstances, I shall support her—not least on the advice of my hon. Friend the Member for Harrow, West.

I am happy to be enlisted in any future guerrilla force that chooses to harry both the Government and the broadcasters as soon as economics and technology allow so that further resources might be made available to those with disabilities. However, on the strength of the speech by the right hon. Member for Copeland (Dr. Cunningham) today, I shall not enlist in a force that is led by him. I have as little confidence in his grasp of the economics and the technology of this industry as I have in his understanding of the profit motive in the working of the national lottery—an issue which I suspect will haunt the Opposition in a wider context in future.

Mrs. Anne Campbell: I shall not detain the House long, but I must make two or three points that have not been raised before.

I refer first to the Secretary of State's point about the 5 per cent. target for sign language interpretation and to the exempted programmes, which is a new concept in the Bill. I am worried that, if 10 per cent. of programmes are exempted or excluded, 5 per cent. of the remaining 90 per cent. is only a 4.5 per cent. sign language target. If 20 per cent. of programmes are excluded, the target becomes only 4 per cent. Therefore, the 5 per cent. target is already being whittled away: we are talking about not 5 per cent. but 4.5 or 4 per cent. All hon. Members must understand that point.

Much has been said on both sides of the House about the economics of the debate. The real problem is that we do not know what new technology will be available in a few years and how cheap or expensive it will be. We also do not know the other side of the equation. For instance, we know that 7 million people are hard of hearing, but we do not know how many of them do not believe that it is worth buying a television licence as they cannot understand the programmes that they watch. If the service can be improved, some of those people may decide to buy licences and subscribe, which will alter the economic balance.

I wish to make a further point.

Mr. Gale: The hon. Lady is wrong. The balance of the equation is not altered, because the licence fee goes to the BBC and many of the companies about which we are talking get no benefit.

Mrs. Campbell: I understand that the BBC objected to the higher limits that were introduced in Committee because of the economics. My question is whether the BBC has taken the other side of the equation into account. *[Interruption.]* I do not understand the point that the hon. Member for North Thanet (Mr. Gale) has made from a sedentary position, but I hope that the BBC will take into account the other side of the equation when it considers the economics.

There is a higher percentage of hard-of-hearing people among the elderly and those with other frailties. They need access to broadcasting, because it is one of the few means of communication that they can enjoy. On those grounds, we should seek to include them in a way that technology is at last beginning to make possible.

Mr. Miller: The House will know that I am keen to ensure that the Bill will give the broadcasting industry the best opportunity to be at the forefront of the new technologies. We should recognise—it is interesting that no Conservative Member has made this point—that we have a leading role in the technology involved in subtitling film media, including translation from foreign languages, general teletext provision and single channel provision.

The Secretary of State for National Heritage was previously Secretary of State for Health and she should know that the technologies are developing quickly. She will remember, I hope, the work undertaken by IBM, with some of our finest surgeons, to develop voice recognition technology. Rapid progress has been made, thanks to British scientists working with the national health service. It is extraordinary that the Government have failed to recognise that we have more than a fledgling industry in that area. In fact, we have a massive potential industry which the Secretary of State is ignoring. *[Interruption.]* I notice that the Minister of State is giving some advice to the Secretary of State. I hope that he will recognise that my point is valid.

The quality of work in subtitling cannot be underestimated and we have a massive potential business opportunity in the United Kingdom and outside, if we allow the industry to flourish. The restrictions that the Secretary of State would place on the development of the technology—by not accepting the amendments made in Committee—will undermine that potential.

Some hon. Members have referred to cost. Of course, a cost would be incurred, but no one has been able to define the level of cost of today's technology or of the emergent technologies to which I have referred. It would be ludicrous for the Secretary of State to water down the Committee's work on the basis of cost, but not to give us any real figures. She cannot give us the figures because she does not understand the potential of the technology. I urge the House to resist the Government's attempts to water down the amendments made in Committee.

Mr. Maclennan: I greatly admire the role that the hon. Member for Harrow, West (Mr. Hughes) has played in extracting an important concession. Unlike the right hon. Member for City of London and Westminster, South (Mr. Brooke), the hon. Member for Harrow, West did not engage in guerrilla tactics: he went over the top at a time when his party are in government rather than putting his cause to one side and waiting for a change of government, although I am sure that he will want to continue his attack when that happens. The hon. Gentleman's campaign did not need guerrilla tactics: it needed a frontal assault and he recognised that. We supported him to the hilt and the changes that were made in Committee were an example of the effectiveness of cross-party co-operation. As I said earlier, Conservative Members eventually feel bound to accept the inevitable and I do not think any the less of the hon. Member for doing so.

Opposition Members are freer to speak their minds and I agree with the right hon. Member for Copeland (Dr. Cunningham) that if the House were to accept the Secretary of State's view we would not go far enough. Many organisations have lobbied to increase provision for the sensorily deprived. I doubt whether the order-making power, which the Secretary of State has said that she intends to use to guarantee 5 per cent. in-vision signing, will be used to ratchet up that provision. I think that we shall see a sliding scale, which could slide down as well as up under pressure from the programme providers.

The Secretary of State was on the defensive today, as she was bound to be, because the Committee expressed its views strongly. All hon. Members will know that once the primary legislation has been debated it is much more difficult to return to the issues and to ensure that they are constantly under consideration. I hope that the many people who have followed this debate will monitor the technology and cost implications of their suggestions on a yearly basis and will keep informed those of us who are concerned about the predicament of the sensorily deprived. I hope that people outside will press us to return to the issue regularly and frequently.

Mrs. Virginia Bottomley: We have had an interesting and illustrative debate about these enormously important matters. We have heard, once again, the mean-spirited and grudging attitude of the Labour party. My hon. Friend the Member for Harrow, West (Mr. Hughes) has achieved a singular step forward for people with sensory disabilities and they have every reason to pay tribute to him.

My hon. Friend the Member for North Thanet (Mr. Gale), who has a great knowledge of these matters because the Royal School for Deaf Children is in his constituency, gave a realistic appraisal of some of the issues involved for the industry. He said, frankly and helpfully, that the provisions would impose great pressures on the industry, especially on small start-up businesses. The Labour party will wallow in the luxury of opposition in perpetuity because it is not prepared to face the economic realities of starting up a business and of job and wealth creation.

The hon. Member for Ellesmere Port and Neston (Mr. Miller) mentioned the innovation and success of the film and broadcasting industry. The new technology is developing because for the past 17 years the industry has worked with a Government who recognise that endlessly burdening industry with regulations, rules, interference and bureaucracy merely smothers and destroys all opportunity to provide services which were previously inconceivable.

In discussing these matters, I have been well aware of the need to promote the industry and to encourage innovation in the digital era, not just the big boys that we are used to, but some of the new players. Moreover, as a result of my previous responsibilities, I have been all too aware of the difference that new technology and communications mean to people with disabilities. That is why I pay a warm tribute to my hon. Friend the Member for Harrow, West for persisting. My hon. Friend the Member for North Thanet was right to say that the approach of my right hon. and learned Friend the Member for Putney (Mr. Mellor) influenced me greatly in pressing further than may have been reasonable the interests of those with disabilities.

I wish to make a number of issues absolutely clear. The Bill as originally drafted contained a code for those matters, so they were part of the original Bill although they did not appear on the face of the Bill. That is the point about which my hon. Friend the Member for Harrow, West was so enthusiastic. On exclusions, when hon. Members read carefully the letter to George Russell they will see that I expect exclusions to be an absolute minimum. Programmes in the excluded category should be subject to other targets, which should be achievable. They should not be excluded from targets altogether. Moreover, I expect them to be improved and ratcheted up as time goes by. My right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) spoke for many when he said that he will press the Independent Television Commission and the Government to ensure that those targets are raised.

5.30 pm

We want digital television to have a good start. Through the steps achieved by hon. Friend the Member

[Mrs. Virginia Bottomley]

for Harrow, West, those with sensory disabilities will be at the heart of the new work from the start. It then seems right to ensure that standards improve as time goes by. My hon. Friend paid tribute to his constituent, Phyllis Knowles. We all share his sympathy in her tragic death. However, people with disabilities are so often an example in their persistence, courage and determination to achieve change. Through my hon. Friend's work, that has certainly been the case here.

I hope that the House will support these substantial improvements. They will be difficult for the industry, but they will be of profound long-term benefit to all those with sensory disabilities.

Dr. John Cunningham: The Secretary of State was less convincing the second time around than she was the first, not least because she wants the House to accept that the amendments promise more when in reality they deliver less. We shall seek to divide the House on amendment No. 166 at the appropriate time.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 33

COMPLIANCE WITH CODE ABOUT PROVISION FOR DEAF AND VISUALLY IMPAIRED

'(1) The Commission shall do all that they can to secure that the provisions of the code maintained by them under section 20 are observed in the provision of digital programme services and qualifying services.

(2) Without prejudice to the generality of subsection (1), a digital programme licence shall include such conditions as appear to the Commission to be appropriate for requiring the holder of the licence, on entering into any such agreement as is mentioned in section 19(3)(a), to submit to the Commission proposals for ensuring that the code is complied with in relation to the provision of the digital programme service.

(3) Where the holder of a digital programme licence has submitted proposals to the Commission in accordance with a condition included in the licence by virtue of subsection (2) or has failed to comply with such a condition, the Commission shall, after consulting him, vary the licence so as to include in the licence such further conditions as they consider appropriate for the purpose of securing compliance with the code in the provision of the digital programme service in question.'—*[Mr. Sproat.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 28

UNAUTHORISED DECODERS.

'.—(1) In section 297A of the Copyright, Designs and Patents Act 1988 (unauthorised decoders), for subsection (1) there is substituted—

"(1) A person who makes, imports, sells or lets for hire, offers or exposes for sale or hire, or advertises for sale or hire, any unauthorised decoder shall be guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both."

(2) The amendment made by subsection (1) shall not apply to any offence committed before the commencement of this section.'—*[Mr. Ian Taylor.]*

Brought up, and read the First time.

The Minister for Science and Technology (Mr. Ian Taylor): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also Government new clause 29—*Apparatus &c for unauthorised reception of transmissions.*

Mr. Taylor: This is my debut at the Dispatch Box in the proceedings on this Bill and I pay tribute to the burden that my hon. Friend the Minister of State, Department of National Heritage, took on his shoulders in Committee. The proceedings on the Floor of the House are the interesting bit, and I am delighted that he has given me a chance to take some of the amendments and new clauses that are before the House.

New clauses 28 and 29 fulfil the commitment that my hon. Friend made in Committee on 18 June, when he agreed to consider carefully the issues raised by my hon. Friend the Member for Ribble Valley (Mr. Evans) on the then new clause 73 in relation to decoder piracy. Protection against unauthorised decoders—piracy of pay television—is considerably in advance of that in many other countries. However, some difficulties have been encountered in enforcement due to the lack of restraint on advertising unauthorised decoders for sale.

The new clauses should go a long way towards alleviating those problems. Advertising unauthorised decoders will become a criminal offence. The sale of such decoders is already an offence. The provision will also be added to those activities to which civil remedies can be applied directly by any broadcaster affected. A maximum new penalty of an unlimited fine and/or two years' imprisonment should provide a significant deterrent against those involved in the theft of pay television services.

The new clauses will be welcomed by those in the industry and I commend them to the House.

Dr. Moonie: I welcome the Minister to our proceedings, and I welcome the new clauses that he proposes.

This matter was discussed at length in Committee and it was clear that both sides felt that something needed to be done. On behalf of the Opposition, I wholeheartedly welcome this much-strengthened provision. I trust that it will be effectively applied in combating fraud.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 29

APPARATUS &C FOR UNAUTHORISED RECEPTION OF TRANSMISSIONS

'. In section 298 of the Copyright, Designs and Patents Act 1988 (apparatus &c for unauthorised reception of transmissions), in subsection (2)(a), after "hire" there is inserted ", offers or exposes for sale or hire, or advertises for sale or hire,". '—*[Mr. Ian Taylor.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 9

MODIFICATION OF RESTRICTIVE TRADE PRACTICES ACT 1976 IN ITS APPLICATION TO AGREEMENTS RELATING TO CHANNEL 3 NEWS PROVISION

'.—(1) After section 194 of the 1990 Act there is inserted—

"Modification of Restrictive Trade Practices Act 1976 in its application to agreements relating to Channel 3 news provision

194A.—(1) In this section a "relevant agreement" means an agreement—

(a) which is made between all holders of regional Channel 3 licences for securing the appointment by them, in accordance with conditions included in their licences by virtue of section 31A(a), of a single body corporate to be the appointed news provider for the purposes of section 31(2), or

(b) which is made between them and the body corporate appointed to be the appointed news provider for the purposes of section 31(2) for purposes connected with the appointment.

(2) If a relevant agreement is registered under the Restrictive Trade Practices Act 1976 ("the 1976 Act"), the Director General of Fair Trading shall report to the Secretary of State as to whether it appears to the Director that the agreement falls within subsection (4).

(3) If, on receiving a report under subsection (2), it appears to the Secretary of State that the agreement falls within subsection (4), he may give a direction to the Director requiring him not to make an application to the Restrictive Practices Court under Part I of the 1976 Act in respect of the relevant agreement.

(4) A relevant agreement falls within this subsection if—

(a) those provisions of the agreement by virtue of which the 1976 Act applies to the agreement do not have, and are not intended or likely to have, to any significant extent the effect of restricting, distorting or preventing competition, or

(b) all or any of those provisions have, or are intended or likely to have, that effect to a significant extent, but that the effect is not greater than is necessary—

(i) in the case of a relevant agreement falling within subsection (1)(a), for securing the appointment by holders of regional Channel 3 licences of a single body corporate to be the appointed news provider for the purposes of section 31(2), or

(ii) in the case of a relevant agreement falling within subsection (1)(b), for compliance by them with conditions included in their licences by virtue of section 31(1) and (2).

(5) The Secretary of State may vary or revoke any direction given under subsection (3) above if he satisfied that there has been a material change of circumstances such that—

(a) the grounds for the direction have ceased to exist, or

(b) there are grounds for giving a different direction;

and where the Secretary of State so varies or revokes any direction, he shall give notice of the variation or revocation to the Director.

(6) In this section—

(a) "agreement" and "Director" have the same meaning as in the 1976 Act, and

(b) "regional Channel 3 licence" has the same meaning as in Part I."

(2) Subsection (1) shall not apply in relation to any agreement (within the meaning of the Restrictive Trade Practices Act 1976) made for the purposes of the provision of news programmes by a nominated news provider under section 31(2) of the 1990 Act as originally enacted.'—*[Mr. Sproat.]*

Brought up, and read the First time.

Mr. Sproat: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 91.

Mr. Sproat: In Committee on 13 June, when introducing the new clauses that now form clauses 70 to 72 of the Bill relating to the provision of a single channel 3 news provider, I said that the Government were still considering the implications of those new clauses in relation to competition law. New clause 9 and amendment No. 91 are the products of that careful consideration.

The provisions of sections 31 and 31A of the 1990 Act, as amended by the Bill, will require the regional channel 3 companies to select one news provider from a pool of nominees deemed by the Independent Television Commission to be of an acceptable standard. We are concerned that the agreements between individual ITV companies to secure a single news provider, or agreements between the channel 3 companies collectively and the single news provider on the terms of the contract might be registrable under the Restrictive Trade Practices Act 1976. We are particularly aware that an agreement between the channel 3 licence holders to appoint a news provider would be a registrable agreement under the terms of the RTPA and might be referred to the restrictive practices court. That possibility arises as a consequence of the fact that the Director General of Fair Trading has a duty, subject to certain provisions of the Act, to take proceedings before the restrictive practices court.

The Government do not want to risk those agreements being referred to the restrictive practices court as a direct result of channel 3 companies complying with Government policy. However, we consider that the significance of any restrictions accepted in the agreements should be tested against the policy in the 1976 Act. The amendments are designed to bring about that result.

The provisions of new clause 9 give the Secretary of State for Trade and Industry the power, on the advice of the Director General of Fair Trading, to direct the DGFT not to refer to the restrictive practices court any registrable agreement relating to the provision of a single news provider for the regional channel 3 network. The Secretary of State can so direct the DGFT only if, having received a report from the DGFT, it appears to him that the restrictions in the agreement which make it registrable do not significantly restrict, distort or prevent competition, or that any such restriction is not greater than is necessary for securing the appointment of a single news provider by the regional channel 3 companies. The last point is very important.

The Government's intention is to lift the threat of a referral of the agreements in question to the restrictive practices court where the restrictions are justified against the test that I have described. It is not our intention to give the channel 3 companies a free rein to make anti-competitive agreements generally in respect of the provision of news to the network. Such practices would remain subject to general competition law. Restrictions that the Secretary of State deemed greater than necessary for securing the appointment of a single news provider

[Mr. Sproat]

could still be referred by the DGFT to the restrictive practices court, which would then decide whether they were against the public interest.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 27

AVOIDANCE OF CERTAIN TERMS RELATING TO USE FOR PURPOSE OF NEWS REPORTING OF VISUAL IMAGES FROM BROADCAST OR CABLE PROGRAMME

'PART VIA

COPYRIGHT AND RELATED MATTERS

.—(1) Any provision in an agreement is void in so far as it purports to prohibit or restrict relevant dealing with a broadcast or cable programme in any circumstances where by virtue of section 30(2) of the Copyright, Designs and Patents Act 1988 (fair dealing for the purpose of reporting current events) copyright in the broadcast or cable programme is not infringed.

(2) In subsection (1)—

(a) "relevant dealing", in relation to a broadcast or cable programme, means dealing by including visual images taken from it in another broadcast or cable programme, and

(b) "broadcast" and "cable programme" have the same meaning as in Part I of the Copyright, Designs and Patents Act 1988.'—*[Mr. Sproat.]*

Brought up, and read the First time.

Mr. Sproat: I beg to move, That the clause be read a Second time.

The new clause give effect to my commitment in Committee to table an amendment to safeguard news access to sporting and other events. The new clause provides that any provision in a contract is void in so far as it prevents the use of visual images from another programme for the purposes of news reporting, in circumstances in which the fair dealing provisions of the Copyright, Designs and Patents Act 1988 would apply. Any decisions as to what constitutes fair dealing would remain for the courts to take, based on the specific circumstances of the case in question.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 30

COPYRIGHT LICENSING

'.—(1) After section 135G of the Copyright, Designs and Patents Act 1988 there is inserted—

"Power to amend sections 135A to 135G

135H.—(1) The Secretary of State may by order, subject to such transitional provision as appears to him to be appropriate, amend sections 135A to 135G so as—

(a) to include in any reference to sound recordings any works of a description specified in the order; or

(b) to exclude from any reference to a broadcast or cable programme service any broadcast or cable programme service of a description so specified.

(2) An order shall be made by statutory instrument; and no order shall be made unless a draft of it has been laid before and approved by resolution of each House of Parliament."

(2) After section 151 of that Act there is inserted—

"Award of interest

151A.—(1) Any of the following, namely—

(a) a direction under section 123(3) so far as relating to a licence for broadcasting a work or including a work in a cable programme service;

(b) a direction under section 128(3) so far as so relating;

(c) an order under section 135D(1); and

(d) an order under section 135F confirming or varying an order under section 135D(1),

may award simple interest at such rate and for such period, beginning not earlier than the relevant date and ending not later than the date of the order, as the Copyright Tribunal thinks reasonable in the circumstances.

(2) In this section "the relevant date" means—

(a) in relation to a direction under section 123(3), the date on which the reference was made;

(b) in relation to a direction under section 128(3), the date on which the reference or application was made;

(c) in relation to an order section 135D(1), the date on which the first payment under section 135C(2) became due; and

(b) in relation to an order under section 135F, the date on which the application was made."

(3) Subsection (2) does not apply in any case where the reference or application to the Copyright Tribunal was or is made before the commencement of this section.'—*[Mr. Ian Taylor.]*

Brought up, and read the First time.

Mr. Ian Taylor: I beg to move, That the clause be read a Second time.

The new clause gives effect to the commitment made by my hon. Friend the Minister of State, Department of National Heritage, in Committee when possible changes to the scope of the statutory licence were discussed. He explained that the Government did not feel that it was appropriate to go ahead with any changes at present, but the new clause will allow an order to be made in future to vary the application of the statutory licence. That will include restricting the categories of broadcast or cable programme service to which the statutory licence applies. The Government have in mind in particular the possible removal of on-demand services from the statutory licence.

The new clause will also give the copyright tribunal the discretion to add an element of interest to awards that it makes when resolving disputes, for example, under the statutory licence. This will include a back-dated payment or repayment to compensate any party financially disadvantaged by the unreasonable behaviour of another. Because of the scope of the Bill, the new clause has been limited to cases involving broadcasting and cable programmes, but when a suitable legislative opportunity arises the Government intend to apply the change to all disputes that can be heard by the tribunal.

Mr. Geoffrey Hoon (Ashfield): I welcome the new clause on behalf of the Opposition. It has been tabled in response to an amendment tabled by Opposition Members in Committee and it will allow the Government to respond flexibly and sensibly to perceived difficulties in the music industry, in particular, as a result of the development of new on-demand services. We welcome this response to changing technology and we hope that the Government will look at suggestions made by the music industry to deal with what it believes are considerable difficulties in

the present arrangements as a result of technological changes. We are grateful to the Minister for tabling the new clause and we shall support it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 34

AMENDMENTS OF COPYRIGHT, DESIGNS AND PATENTS ACT 1988 RELATING TO CABLE PROGRAMME SERVICES

'Schedule (*Amendments of Copyright, Designs and Patents Act 1988 relating to cable programme services*) (which contains amendments of the Copyright, Designs and Patents Act 1988 relating to broadcasts included in cable programme services) shall have effect.'.—*[Mr. Ian Taylor.]*

Brought up, and read the First time.

Mr. Ian Taylor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also Government new schedule 4—*Amendments of Copyright, Designs and Patents Act 1988 relating to cable programme services.*

Mr. Taylor: The new clause and new schedule are immensely complicated, but the purposes are relatively straightforward and simple. They adjust the Copyright, Designs and Patents Act 1988 to take account of the introduction of the new must-carry requirements for cable operators under clause 86. As many hon. Members will know, the must-carry amendments were introduced following debates in the Lords in which Baroness O'Cathain played a leading and most constructive role, and I give her due credit.

Clearly, cable operators should not be liable for copyright infringement merely by fulfilling their obligations under clause 86 to carry public service broadcasts. The new clause and new schedule ensure that that is the case, while also providing for copyright owners to obtain additional payments from broadcasters where a broadcast is carried by cable outside the area for which it is made.

Cable operators not subject to the must-carry requirement will also be able to carry all the public service broadcasts within the area covered by the broadcast without infringing the copyright. The new clause also includes an order-making power to change the list of broadcasts to which this copyright exemption applies if, for example, any free-to-air digital services were to achieve a high level of penetration.

5.45 pm

Where other broadcasts are to be carried, the cable operators will need to obtain copyright clearance from the broadcaster but, as is the case at present, there will be no copyright infringement in underlying works. Broadcasters will have already paid a royalty to rights owners for the area covered by the broadcast. An additional royalty for cable coverage of the same area would therefore amount to a double payment.

We expect and hope, however, that in future there will be many new broadcasts as a result of digital technology. The new clause therefore includes an order-making power allowing the Government to limit the exemption from copyright infringement should there be evidence that copyright owners are not getting their due as a result of these developments.

Mr. Hoon: The Opposition have no substantial objection to the new clause. However, in response to the Minister's comment about the complexity of the proposals, I make the observation that it is somewhat unfortunate at this late stage in the passage of the Bill—which has completed its stages in the other place and has gone through a long and detailed Committee stage in this House—for us to be presented with complex amendments which have not been considered in detail in Committee. That is regrettable.

I wonder whether the presence of a Minister from the Department of Trade and Industry at this late stage indicates that there has been further thinking in different Government Departments about the way in which the Bill has developed. Such thinking might have been done better in co-ordination with the Department of National Heritage. It would have helped everyone to see that co-operation rather earlier in the proceedings so that we could have responded to the proposals in Committee.

Mr. Ian Taylor: Government, as we know, is a seamless web. However, when a complex piece of legislation goes through we sometimes need to table new clauses, amendments and new schedules. I apologise to the hon. Member for Ashfield (Mr. Hoon) for leaving the new clause until late in the day, but I think that he will agree that it is better late than never.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 41

STANDARDS FOR TRANSMISSION SYSTEMS

'(1) The Independent Television Commission (in this section referred to as "the Commission") shall do all that they can to secure that every licensed service uses a transmission system complying with Article 2 of Council Directive 95/47/EC on the use of standards for the transmission of television signals ("the Directive").

(2) In this section "Community digital standard" means any of the alternatives permitted within the mandatory parts of the standards to be met by a transmission system for the purpose of complying with Article 2(c) of the Directive (which relates to television services that are fully digital).

(3) The Commission may, after consultation with the persons specified in subsection (6), specify particular Community digital standards to be met in the provision of licensed services which are fully digital.

(4) In deciding whether, and if so how, to exercise their powers under subsection (3), the Commission shall, in particular—

(a) have regard to the desirability of promoting—

(i) mutual technical compatibility between digital television services, and

(ii) the development of digital television broadcasting, and

(b) consider whether it would be reasonably practicable for persons providing licensed services which are fully digital to use transmission systems meeting the Community digital standards in question.

(5) Where the Commission have exercised their powers under subsection (3), they shall—

(a) publish notice of their determination in such manner as they think fit, and

(b) do all that they can to secure that any licensed service which is fully digital uses a transmission system meeting the Community digital standards specified under that subsection.

(6) The persons referred to in subsection (3) are—

(a) every person providing a licensed service,

(b) the BBC,

(c) the Welsh Authority,

(d) the Secretary of State,

(e) the Director General of Telecommunications,

(f) the Director General of Fair Trading,

(g) such persons appearing to them to represent manufacturers of television broadcasting or receiving equipment as they think fit,

(h) such persons appearing to them to represent viewers as they think fit, and

(j) such other persons as they think fit.

(7) In this section—

"licensed service" means any service licensed by the Commission under Part I of this Act or Part I or II of the 1990 Act or provided under a relevant cable licence, but does not include any service which is only broadcast or transmitted for reception outside the European Economic Area;

"relevant cable licence" means a relevant licence within the meaning of Part III of Schedule 12 to the 1990 Act (transitional provisions relating to existing cable services).'—*[Mr. Ian Taylor.]*

Brought up, and read the First time.

Mr. Ian Taylor: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following: New clause 16—*Common technical standards for digital television*—

'.—(1) The Secretary of State may by order provide for additional powers for the Independent Television Commission ("the Commission") to adopt technical licensing requirements for digital television services as he may consider appropriate for the purpose of ensuring the greatest practicable mutual technical compatibility of those services.

(2) Before making an order under subsection (1), the Secretary of State shall consult—

(a) every person who is the holder of a licence to provide a digital television service;

(b) every independent analogue broadcaster as defined in section 2(1) of this Act providing a qualifying service as defined in section 2(2) of this Act;

(c) such other providers and potential providers of digital television services as he thinks fit;

(d) such bodies or persons appearing to him to represent manufacturers and producers of equipment used for receiving digital television services as he thinks fit;

(e) such other bodies or persons who are concerned with technical licensing requirements for digital television services as he thinks fit.

(3) An order under subsection (1) may not be made unless a draft of the order has been laid before and approved by a resolution of both Houses of Parliament.'.

New clause 43—*Power of Commission to adopt technical licensing requirements for digital television services*—

'.—(1) After section 2 of the 1990 Act there is inserted—

"2A. (1) The Commission may adopt such technical licensing requirements for digital television services as it may consider appropriate for the purpose of ensuring the greatest practicable mutual technical compatibility of those services.

(2) Before the Commission adopt any such licensing requirements as are referred to in subsection (1), they shall consult—

(a) every person who is the holder of a licence to provide a digital television service;

(b) every independent analogue broadcaster as defined in section 2(1) of the Broadcasting Act 1996 providing a qualifying service as defined in section 2(2) of that Act;

(c) such other providers and potential providers of digital television services as the Commission think fit;

(d) such bodies or persons appearing to the Commission to represent manufacturers and producers of equipment used for receiving digital television services as the Commission think fit;

(e) such other bodies or persons who are concerned with technical licensing requirements for digital television services as the Commission think fit.

(3) Each of the following is a digital television service for the purposes of this Part and of Part I of the Broadcasting Act 1996—

(a) A multiplex service, as defined in section 1 of the Broadcasting Act 1996;

(b) A digital programme service, as defined in section 1(4) of that Act;

(c) A qualifying service, as defined in section 2(2) of that Act;

(d) A digital additional service, as defined in section 21(1) of that Act;

(e) An ancillary service, as defined in section 21(2) of that Act;

(f) An electronic programme guide service, that is to say the service of providing, whether in conjunction with a television programme service or otherwise and whether directly or indirectly, television programme information by broadcasting, transmitting or otherwise conveying that information (whether by wireless telegraphy, by means of a telecommunications system or otherwise) to equipment which is capable of receiving and/or processing the information, where that service is provided in digital form;

(g) A domestic satellite service transmitted in digital form;

(h) A non-domestic satellite service transmitted in digital form;

(i) A licensable programme service provided in digital form;

(j) A local delivery service, as defined in section 72, where that service or any of the programmes comprised in it is delivered in digital form;

(k) A diffusion service (within the meaning of Part I of the Cable and Broadcasting Act 1984), whether prescribed or otherwise, which falls to be regulated by the Commission under section 134 of, and Schedule 12 to, this Act and which is provided in digital form.'.".

New clause 44—*Amendment of section 6(1) of 1990 Act (Technical licensing requirements)*—

'After subsection (1)(e) of section 6 of the 1990 Act (general requirements as to licensed services) there is inserted—

"(f) where the licensed service is a digital television service, that it complies with any licensing requirements adopted by the Commission under section 2A.".'.

New clause 45—*Amendment of section 73(3) of 1990 Act (Licensing of local delivery services)*—

(1) Section 73 of the 1990 Act is amended as follows.

(2) For subsection (3) there is substituted—

"(3) Subject to subsection (4), sections 3, 4, 5 and 6(1)(f) shall apply to local delivery licences as they apply to licences granted by the Commission under Part I of this Act."

(3) After subsection 4(c) there is inserted—

"(d) the reference in section 6(1)(f) to 'every licensed service' shall be construed as including a reference to licensed local delivery services.".'.

New clause 46—*Amendment of Schedule 12 to 1990 Act (Cable services)*—

'After paragraph 2(1) of Part III of Schedule 12 to the 1990 Act there is inserted—

"(1A) In discharging their functions under this Schedule as respects the licensing of diffusion services, the Commission shall do all that they can to secure that any diffusion services which are provided in digital form comply with any licensing requirements adopted by the Commission under section 2A of this Act; and a relevant licence may include such conditions as appear to the Commission to be appropriate for securing that the diffusion services authorised to be provided under that licence comply with any such licensing requirements.".'.

Amendment No. 228, in clause 7, page 8, line 3, leave out 'the service' and insert

'all the multiplex services available in that area'.

Amendment No. 229, in clause 8, page 9, line 8, leave out 'the service' and insert

'all the multiplex services available in that area'.

Amendment No. 256, in clause 11, page 11, line 41, at end insert—

'(i) that the licensed service complies with any licensing requirements adopted by the Commission under section 2A of the 1990 Act (power of Commission to adopt technical licensing requirements for digital television services)'.

Amendment No. 257, in clause 18, page 19, line 15, at end insert—

'(4A) Without prejudice to the generality of section 4(1) (general licence conditions), it is hereby declared that a digital programme licence may also include such conditions as appear to the Commission to be appropriate for securing that any ancillary service provided by the licence holder complies with any conditions adopted by the Commission under section 2A of the 1990 Act (power of Commission to adopt technical licensing requirements for digital television services).

(4B) In subsection 4A, "ancillary service" has the meaning given by section 21(2) of this Act.'.

Amendment No. 258, in clause 26, page 25, line 27, at end insert—

'(c) ensuring that qualifying services, and any ancillary services provided by independent analogue broadcasters, comply with any licensing requirements adopted by the Commission under section 2A of the 1990 Act (power of Commission to adopt technical licensing requirements for digital television services)'.

Amendment No. 259, in page 26, line 11, leave out 'either' and insert 'any'.

Government amendment No. 253.

Mr. Taylor: We are dealing here with a large group of new clauses and amendments. I shall speak briefly to new clause 41 and the consequential Government amendment No. 253, and pause to see what comments emerge.

The Government have taken careful note of the debate in Committee on common technical standards for digital television. My hon. Friend the Member for North Thanet (Mr. Gale) played a key role in raising these questions in Committee, helping us to pin down the crucial issues at the heart of the matter. I give him credit for his contribution to the debate. The hon. Members for Caithness and Sutherland (Mr. Maclennan) and for Kirkcaldy (Dr. Moonie) also made leading and constructive contributions.

As hon. Members will know, the Government responded to the debate by undertaking a consultation exercise on the possibilities for co-operation between digital terrestrial multiplex providers to ensure that all digital terrestrial decoders could receive all digital terrestrial services. As both Government and Opposition amendments show, the issue crosses the different transmission media. Interoperability between services on any given medium is clearly desirable for digital terrestrial, cable and satellite, but so too is interoperability between services on different media in so far as that is reasonably practicable.

We can all find common cause in the aim of supporting interoperability. The Government believe that the commercial imperatives of a market in which the objective is to sell services to the largest possible number of subscribers will tend to support, rather than work against, interoperability. We should not ignore the potential for the market to find its own solutions, as has occurred in other areas covered by my responsibility as Minister for Science and Technology.

There is a desire for interoperability to enable the services to reach the widest possible market. To do so by providing powers to pick particular standards across the board, for example, would create unnecessary uncertainty, retarding development and raising costs. Neither of those effects is in the interests of the consumer, so we have endeavoured to strike the necessary balance. With that in mind, ensuring basic interconnection between services comes down principally to two issues: first, ensuring interoperability between different conditional access systems and, secondly, ensuring that the maximum compatibility that is reasonably practicable between transmission systems is achieved.

First, on conditional access, hon. Members will know that, on 26 June, we published for further consultation detailed proposals on the regulation of conditional access services for all modes of digital television. Those draft regulations and the associated draft licence for conditional access services will ensure that any broadcaster may obtain conditional access service from every operator. That means that he can include in his broadcast signal the control information for each system.

Each decoder can unscramble the picture under the control information appropriate to its conditional access system. That is known as simul-crypt, which I understand we will discuss later. It will work in practice because our regulations, following the European directive, will require every decoder to contain the so-called common scrambling alorithm. All that is necessary is to have the conditional access service data for each particular system to control its operation in unscrambling the picture. That is guaranteed by our regulations, which will oblige every conditional access operator to supply service to any broadcaster who requests it.

[Mr. Taylor]

The second main objective is to ensure the maximum practicable compatibility in transmission standards. The European directive already mandates particular transmission standards for each mode of digital delivery. Each standard contains a number of mandatory sections. Within those sections, however, a number of choices can be made for some required transmission parameters. That will allow broadcasters to adopt the best set of parameters for coping with the particular environment in different countries, for example, and provides important flexibility behind the different standards.

Most manufacturers are likely to incorporate substantially the full range of options in their broadcast and receiving equipment, but if different equipment manufacturers in the United Kingdom chose to manufacturer different limited selections of those options—perhaps because they were the options favoured by particular broadcasters or multiplex providers—technical incompatibilities could result. New clause 41, therefore, provides a reserve power for the ITC, following consultation with all relevant players, to select a particular set of options from those allowed by each transmission standard. All broadcast service licence holders would then be required to observe those choices in transmission.

Taken with our regulations for implementing conditional access regulation, I hope that it is clear that new clause 41 does precisely what we are seeking: it provides a means to ensure the greatest practicable mutual technical compatibility of digital television services across all three delivery mechanisms—terrestrial, satellite and cable.

New clause 41 also fulfils the Government's obligation to implement the rest of the provisions in article 2 of the television standards directive.

Amendment No. 253 provides simply that the definitions in the Broadcasting Act 1990 apply to new clause 41.

Our amendments achieve their aims without creating great uncertainty as to what standards might be specified. They also avoid certain of the undesirable side effects of some of the other new clauses and amendments in this group. Nevertheless, before I pause to allow other hon. Members to speak, it may be of interest to Opposition Members to know that the Government are minded to accept one further aspect of those amendments.

Mr. Hoon: I shall not delay the House by repeating the Minister's observations, as they reflect those of Opposition Members in moving various amendments designed to achieve the purpose that the Government are now so keen to advocate. It is appropriate, however, to repeat my earlier mild criticisms of the Government—and perhaps the Minister's Department—that the amendments were not tabled much earlier. I am afraid that it is an example of government by amendment.

I am pleased that the Government have shifted their position, gradually, in the direction of common sense. New clause 41 in particular reflects the views of the Committee. Hon. Members on both sides of the Committee were anxious that a common standard should be established.

The Minister referred to our deliberations in Committee. I hope that he also noted a number of plaintive cries for his attendance so that he could put the view of the Department of Trade of Industry as that would have assisted us all. It is for further consideration—perhaps by a different Government—if these matters require amendment in future, that there should be greater co-ordination between Government Departments to achieve what is finally a commonsense approach to the problem.

Mr. Gale: I concur entirely. I am sure that, if further amendments are necessary, the next Conservative Government will be only too pleased to address them.

I welcome my hon. Friend the Minister for Science and Technology to the Dispatch Box and thank him for his kind opening remarks. As he is aware, having studied reports of the proceedings in Committee, concern has been expressed by hon. Members on both sides of the House that the core argument on the development of digital terrestrial and satellite broadcasting relates to conditional access and the technology involved.

What my hon. Friend has told the House this afternoon is extremely welcome. Last week, the Government published a draft statutory instrument on conditional access. That will go a long way towards meeting many of the concerns about a common interface. If the viewing public are to have the confidence necessary to invest in initially expensive new digital receivers, it is vital that they should have access to all the programmes on offer. They will not be content with a selection achieved through one box, and then having to purchase a second, third or fourth decoder to receive all programmes.

Set manufacturers must be confident that they are producing equipment that will not be obsolete within a few months or a few years if they are to invest in the production lines necessary to turn out the new receivers. I hope that, as a result of what has been said today, set manufacturers and the public will proceed with confidence and that there will be a new range of wide-screen digital television receivers—with a set-in box, not a set-top box—capable of receiving all the channels whether by satellite, terrestrial or cable television.

As my hon. Friend said, new clause 41 would give reserve powers to the Independent Television Commission. It is similar to the amendment that I tabled in Committee and which was lost on the Chairman's casting vote. Although new clause 41 gives the ITC some discretion to choose between sub-sets of agreed European standards, it does so only within the terms of article 2c of the television standards directive.

I am assured that article 2c refers only to the most basic elements of the digital transmission system. It does not cover any of the ancillary elements such as service information, which is not the television picture or sound, but information about the service; it does not cover conditional access, but the statutory instrument will; and it does not cover electronic programme guides, which were discussed in Committee. All those elements are essential both for the digital transmission itself and for compatibility between them. There will be an opportunity through the statutory instrument to address those missing elements if my hon. Friend the Minister for Science and Technology is so minded, and I would be grateful if he would comment on that.

I am extremely grateful for the manner in which both responsible Departments have responded to the arguments that were put forward in Committee. The amendments

will go a very long way towards meeting our concerns. Will my hon. Friend the Minister for Science and Technology give an undertaking that the statutory instrument relating to conditional access will be on the statute book and operative in time to run in tandem with the Bill's enactment, so that all those concerned can have absolute confidence in the manner in which they are to proceed?

6 pm

Mr. Maclennan: I welcome the Minister's speech, and only in passing regret that the Government's intentions in this very complex area became clear rather late when they tabled their amendments on Thursday.

The complexity of the issue, both in terms of the technology and the legal language that we are deploying in the amendments, would probably be baffling to most auditors of this debate. I think that we all agree—I do not believe that there is any division across the Floor of the House on the issue—that we are trying to guarantee the ability of audiences to choose to receive either digital terrestrial or digital satellite services, or both, without disposing of equipment that they have already acquired. It is recognised that that is vital to the take-up of the new digital service. I take it that that is what inspires the Minister's amendments, although they are also clearly designed to bring the Bill into line with the terms of article 2c of the European Union television standards directive.

I tabled new clauses 43 to 46 because it has been put to me—and, I imagine, to other hon. Members—that the implementation of article 2c does not go quite far enough in removing uncertainties. The hon. Member for North Thanet (Mr. Gale) described well the defects of reliance on article 2c provisions that seem to be encompassed by new clause 41, and I endorse what he said. The provisions are of course flexible and, since we are in a fast-moving market, perhaps it would be wrong at this stage to specify a complete set of transmission elements where the ITC could play a role. Service information, for example, which is not covered by the directive, is information on where particular services may be found. It is important that compatible standards are made mandatory if receivers are to be able to locate channels and switch between them.

New clause 16, which the Labour party tabled, seems to cover similar ground, by appearing to lay a similar duty on the ITC. I am sure that it has a similar goal in mind, but I am concerned that the new clause would introduce delay into the process by simply providing, after extensive consultation, for the Secretary of State to lay an order giving the ITC powers—a somewhat slow procedure bearing in mind how rapidly it might be possible for a powerful player to come to dominate the market.

The ITC has indicated that it would consult widely and fully if it were exercising discretion in this area, and try to reach a satisfactory position by industry consensus. I do not think that, in this matter, we can simply allow the market to operate. It could take a long time to find a common standard, or one could be imposed on the industry. I therefore commend to the Minister new clauses 43 to 46, which would give the ITC the discretion that I think it requires. That is the right approach to create conditions in which a proper inter-connect regime can emerge.

I found the Minister's speech somewhat tantalising in that he held out the hope that some of the amendments, which have been tabled by hon. Members of all parties, might conceivably be acceded to. I therefore hesitate to labour my points lest, by some chance, I might be the fortunate person whom he intends to favour.

Mr. Ian Taylor: We have had a useful and clarifying debate. I suppose that I am touched by the words of the hon. Member for Ashfield (Mr. Hoon). One's absence is felt in these matters but, as I said, my hon. Friend the Minister for National Heritage did a tremendous job in Committee. My hon. Friend and I kept in very close touch and I would not want the hon. Gentleman to think that I had no interest in the Committee's proceedings. There is a close working relationship between the Departments of Trade and Industry and of National Heritage. My responsibilities as Minister for Science and Technology include the economic supply chain, copyright issues and many of the other basic technical standards that underpin the Department of National Heritage's broadcasting policy, and this is one of the areas in which such matters are particularly important.

Conditional access and interoperability are crucial to our ability to move forward in this very exciting digital television revolution. I entirely agree with my hon. Friend the Member for North Thanet; we must ensure that customers know where they stand and that they do not have to buy many boxes. He is absolutely right that, before we get very far down this track, the new sets will have built in decoders rather than set-top boxes. We are possibly talking about the change of 8 million television sets—that is a slightly back-of-an-envelope calculation—which is a considerable challenge. Indeed, we have set down a timetable for a review of when we might ultimately consider switching off analogue. I would like that to be capable of happening, and for us to give guidance, as soon as possible.

I should like, if I may, to cross-reference this issue with the White Paper that my right hon. Friend the President of the Board of Trade issued on radio spectrum pricing only 10 days ago. It contains a very useful section on radio spectrum pricing in relation to the broadcasting industry, which is not the subject of these amendments but to which I should nevertheless like to draw attention because I believe that it is relevant to the background to the debate. Set manufacturers must also be given clarity.

As always, there is a need for a concept of commercial return in order to stimulate investment. We must not stipulate to the point that we ignore the innovative process, nor must we draw the power so widely that the people who are investing consider the risk too big and, therefore, delay their activities until the Government of the day clarify their intentions.

In my judgment and that of my colleagues, new clauses 43 to 46 would give the ITC powers to do virtually anything in connection with digital television services. Far from creating the certainty that we require, they would be likely to provoke uncertainty. Were the power to be applied to technical standards in decoders, the need for clearance would arise under the single market procedures of directive 83/189/EC, and that would inevitably create further uncertainty and delay. We cannot accept those new clauses, or new clause 16, which offers similar scope. We believe that it, too, would be a recipe for delay and increased costs.

I accept that not every element can be covered in the statutory instrument. Basic standards on service information are included, although not the full

[Mr. Ian Taylor]

specification. The statutory instrument cannot implement more than is in the directive, but it will be laid in the autumn. In the document published on 26 June, we laid down a timetable to which I intend to adhere. We are having consultations until the end of this month, and we will move swiftly thereafter.

Finally, we come to amendments Nos. 228 and 229, tabled by the hon. Member for Caithness and Sutherland (Mr. Maclennan) and others. It is important to be charitable, and I must say that the amendments are ingenious and we like them. They seem to offer a response to some of the potential competition law difficulties identified with proposals explicitly requiring collusion between bidders for multiplex licences. Co-operation is still possible, and may be desirable. It should be clear that, under these amendments, the ITC would not be able to preclude bids that did not involve co-operation between multiplex providers. Equipment using different conditional access systems from that of other multiplex operators is still capable of receiving all the multiplex services through the application of simul-crypt, as I explained earlier.

Furthermore, new clause 41 and its associated amendment, amendment No. 253, provide a back-stop power for the ITC to help to ensure the greatest mutual technical compatibility that is reasonably practicable between digital services. Amendments Nos. 228 and 229 seem to us to add value to this objective in the specific context of digital terrestrial television. They make clear that, all other things being equal, proposals that added to interoperability without raising immediate problems of competition law would be favoured over ones that detracted from interoperability. The Government are therefore minded to agree to these amendments but, for the reasons that I have explained, we will resist the other amendments—and the new clauses—in the group.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 4

DUTY OF INDEPENDENT TELEVISION COMMISSION AND RADIO AUTHORITY TO PROMOTE QUALITY IN PROGRAMMES

'.—(1) In exercising their powers under this Act and the 1990 Act, the Independent Television Commission and the Radio Authority ("the relevant authorities") shall have as their principal objective to secure that programmes included in any service licensed under either Act shall, taking the relevant service as a whole—

(a) be of a consistently high quality; and

(b) contain a suitable proportion of original material produced, or predominantly produced, in the United Kingdom.

(2) "Suitable proportion" in subsection (1) above shall have the meaning assigned to it in guidance which shall be issued by the relevant authorities.'.—*[Mr. Mullin.]*

Brought up, and read the First time.

Mr. Chris Mullin (Sunderland, South): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss also the following: New clause 35—*Duty of Commission and authorities to promote quality etc., in television and radio services in Wales*—

'.—It shall be the principal duty of the Independent Television Commission, the Welsh Authority and the Radio Authority, in exercising their powers under this Act and the 1990 Act, to secure that the programmes included in any service intended for reception in Wales are of a consistently high quality and that they reflect, taking the relevant service as a whole—

(a) the tastes and interests of all communities living in Wales; and

(b) the cultural and linguistic heritage of Wales.'.

Government amendments Nos. 11 to 13.

Mr. Mullin: May I begin by thanking my hon. Friends for the backing that they have given to this new clause? It is not every day that my name appears on the amendment paper above that of the Leader of the Opposition, and I do not suppose that will happen often in the future. I am grateful none the less.

New clause 4 seeks to repair one of the fundamental omissions from this Bill—the absence of any requirement that programme quality be taken into account when licences are allocated. It seeks to do this in two ways. First, it will enable the ITC to take into account the quality of the service proposed by the applicant. As the Bill stands, the nearest we get to laying down minimum standards is the requirement in clause 8(2)(d) that the service shall appeal to

"a variety of tastes and interests".

That, as I shall argue in a moment, is wholly inadequate.

Secondly, the new clause will ensure that the material broadcast shall contain a suitable proportion of original British-made programmes. I say "original" because I would not want the purpose of the new clause to be subverted by the endless recycling of second-hand material, whether produced in Britain or anywhere else. As to what constitutes a "suitable" proportion, that would be for the ITC to judge, taking into account all the circumstances—including the fact that, initially, it might be necessary to exercise leniency until the new service was up and running.

In due course, I see no reason why the proportion of British-made programmes on digital television should not be similar to that expected of terrestrial television. It is important to make clear from the outset to the providers of digital television that we do not wish to be swamped by a tidal wave of American junk. Nor do we wish to see our television production industry go the same way as our film industry. We have an excellent domestic television industry and, in particular, we have a thriving independent sector. We do not want to see it undermined—we want it to be encouraged.

6.15 pm

It will not have escaped the notice of those who advise Ministers that the application of new clause 4 is considerably wider than any amendment moved in Committee. It provides the ITC with powers to enforce minimum standards not merely upon applicants for multiplex licences, but on applicants who come within the terms of the Broadcasting Act 1990. As clause 45 of the 1990 Act makes clear, this includes non-domestic satellite television—in other words, Sky Television.

For reasons at which one can only guess, Sky has been exempt from the requirement imposed on terrestrial commercial television that a given percentage of its output must be British-made and original. Sky spends almost nothing on original production apart from news and sport, with the result that it is free to import—often from other parts of the Murdoch empire—American and Australian movies and soaps at a fraction of the costs that its terrestrial rivals have to spend on producing original material. It is hard to think of anything more calculated to undermine the quality of British television.

I am sure that Sky's exemption from the rules that apply to its commercial rivals has been a factor in the desperate spiral of cost-cutting and ratings chasing that has afflicted British television in the past six years. I do not know how this extraordinary arrangement came about. It has been suggested that Margaret Thatcher sent a draft of the 1990 Act to Mr. Murdoch's lawyers, who simply deleted the parts that they did not like. That is one possibility. Another justification was that Sky's start-up costs were so massive and the risk so great that it would have been unreasonable to expect it to meet the same standards as its commercial rivals. I am not sure whether that argument ever held water, but if it did, it has long since been overtaken by events. Sky is now seven years old, and is highly profitable. It is about time that it was required to operate on a level playing field. New clause 4 will provide the regulators with powers to make sure that it does.

I now return to the argument about quality. I read the Minister's speech on this issue in Committee and, frankly, I was confused by it. On the one hand, he appeared to argue that the Bill already provided the regulator with powers to insist on minimum standards of programming. On the other hand, he argued that any safeguards would place an unreasonable burden upon investors. He cannot have it both ways. As regards his suggestion that variety was an adequate substitute for quality, that was admirably disposed of by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who said that the Oxford English dictionary defined variety as "the absence of monotony". Is that the best that we can hope for from this wonderful new technology? Should we not be a little more ambitious?

The Minister argued that we must allow multiplex providers to give viewers what they want—the very argument that has given us *The Sun* and has dragged the rest of our tabloid newspapers into the gutter to compete. I do not want to see the same thing happening to our television. None of us should pretend that we know what the viewers want, but of one thing I am certain—unless we insist upon the enforcement of minimum standards from the outset, the viewers will get what is cheapest and most profitable for directors and shareholders. When challenged by my hon. Friend the Member for Wallasey (Ms Eagle) in Committee to say how we could prevent a decision by one operator to go down market from dragging others down with it, the Minister said that there was "every reason to hope" that the quality of channels 1, 2, 3, 4 and 5 would be imported into the new digital services. He continued:

"We shall have to wait and see."—[*Official Report, Standing Committee D*, 25 April 1996; c. 64.]

For my part, I am not prepared to wait and see, or to rely on hope. All the evidence from at home and abroad suggests that once one surrenders decisions about quality entirely to the market, the trend is remorselessly downhill. As for the quality of channels 1, 2, 3 and 4—we are still awaiting channel 5—which the Minister hopes will be imparted to the digital services, there has been a dramatic decline in quality since the wave of mergers triggered by the 1990 Act. The knowledge that the first two digital multiplexes will go to the holders of existing franchises gives me no confidence.

The only way to guarantee minimum standards is to provide the regulator with power to enforce them. That is what I am proposing. In Committee, the Minister said that the dominant criterion by which the ITC will judge applicants is

"the degree to which the application . . . is likely to advance the cause of digitalisation in this country."—[*Official Report, Standing Committee D*, 25 April 1996; c. 66.]

Never mind the quality, feel the width—that is precisely the philosophy that will lead us down the road to ruin. In the long term, it will not be the standards of terrestrial channels that set the pace for digital television, but the opposite. Digital could undermine the standards that we are struggling to maintain on the other channels. We will end up with a tabloid TV—50 or 500 channels, but nothing worth watching on any of them.

If the Government are not willing to take into account the Opposition's fears or those of many in the industry, for example those associated with the Campaign for Quality Television, one might expect them to listen to the ITC, which was set up precisely to regulate the industry. I presume that the ITC—or, I would presume it if the Minister were anywhere to be seen—enjoys the confidence of Ministers. It would be a strange affair if it did not. What does the ITC have to say on the issue? I will quote from a briefing that has no doubt been circulated for the Report stage to all hon. Members who were on the Standing Committee, which states:

"Despite widespread agreement concerning the need to empower the ITC to take these matters into consideration when analysing applications for multiplex service licences, it is by no means certain that the ITC will have sufficient statutory powers to exercise discretion in these areas. If this uncertainty remains, the ITC believes the legislation could actively prohibit"—

that is underlined—

"consideration of these factors in the licensing process."

At the end of the debate in Committee, the Minister undertook to go away and reflect on the quality of what he called "the backstops". I gather that amendments Nos. 11, 12 and 13 are the product of his reflections. If that is so, I can say only that they are obscure. Their purpose may be clear to the fine legal minds who advise Ministers, but they are not clear to me or to the people whom I have consulted.

At the end of last week, I asked the ITC whether the amendments had resolved the problem from its point of view. I was told that they would make no significant difference. If the Government are committed to maintaining the quality of British television, as they claim, why cannot they say so unambiguously in the Bill? That is the purpose of new clause 4 and I commend it to the House.

Dr. John Cunningham: First, I commend my hon. Friend the Member for Sunderland, South (Mr. Mullin) on the new clause and his speech in introducing it. I enjoyed the sight of his name alongside that of our right hon. Friend the Leader of the Opposition and mine on the amendment paper—long may it continue.

[Dr. John Cunningham]

New clause 4 encapsulates all the important arguments that took place in the Committee in this House and in another place and on Second Reading. Consistently, we have heard from Ministers that the provisions of schedule 7 to the Bill would allow a carry-over of the powers and duties of the Independent Television Commission from the 1990 Act. Those duties under section 2 require the Commission to discharge its functions

"in the manner which they consider is best calculated to ensure the provision of such services which (taken as a whole) are of high quality and offer a wide range of programmes calculated to appeal to a variety of tastes and interests."

At the end of the Committee stage, as my hon. Friend the Member for Sunderland, South made clear, the ITC was still not convinced that it had been given the necessary powers. The Minister said:

"the lawyers still cannot make up their minds about the exact wording."—[*Official Report, Standing Committee D*, 18 June 1996; c. 765.]

He promised to write to all members of the Committee setting out the exact situation. That he has done. In the past few days, he has begun to catch up on his correspondence. We have had a series of letters from him about matters contained in the Bill. I shall quote the letter from the Minister of State, who said:

"I am sorry that in expounding this case I inadvertently misled the Committee on the relatively technical question of the application of Section 2 of the 1990 Act".

It is not surprising that the hon. Gentleman inadvertently misled the Committee and, of course, we accept his apology. That is not the problem and it is not surprising because he was trying to reconcile two almost exactly opposite points of view. On the one hand, in the letter, he was saying,

"It remains the Government's view that quality should not be a distinct criterion in the award of multiplex licences."

That is the Minister's and the Government's view. However, he then went on to say:

"There are, however, two particular respects in which, in our view, the ITC will be able to take account of quality considerations".

The Government say that they do not want quality to be a specific consideration, but they want nevertheless to take into account quality issues. That is contradictory and the Government had every opportunity to make their mind up on the matter and to clarify the situation.

The reality is that the body that will have to implement this part of the Act—the ITC—remains unconvinced that the amendments in the name of the Secretary of State today are sufficient to give it the clarity and certainty that it requires. The ITC believes that any exercise of those powers to decide between digital programme service providers could, as the proposals stand, leave the ITC open to legal challenge, which would obviously be highly unsatisfactory.

The reality is also that quality of programming and quality controls in television exercise people in all parties and also exercise the public a great deal. Although the amendments about the V-chip are grouped separately, there is a link between what we are discussing, the new clause and the subsequent amendments—how the statutory bodies of government and we as legislators protect people from gratuitous violence and other unsatisfactory and unacceptable productions on television.

New clause 4 seems to be the right way to proceed—by allowing an explicit reference to the power to consider quality when judging programme services. My hon. Friend the Member for Sunderland, South has been able to be quite clear about that in the new clause. The Government have deliberately chosen not to select that as a criterion and have obfuscated the issue, as the Minister's letter makes clear.

The new clause also gives the regulators powers to consider issues relating to original material and United Kingdom-based productions, which are particularly important to our audio-visual industries. It also extends to radio, an area that the Government have completely ignored. That alone renders their amendments unsatisfactory.

I urge the House to support new clause 4.

6.30 pm

Mr. Joseph Ashton (Bassetlaw): I have considerable sympathy with my hon. Friend the Member for Sunderland, South (Mr. Mullin): we see eye to eye on many issues. However, if he had used the word "channels" rather than the phrase

"programmes included in any service",

the wording would have been much more specific, and it might not have been so easy for the authorities to wriggle out of it. With all respect to my right hon. Friend the Member for Copeland (Dr. Cunningham), that is far too easy under the current drafting.

Anyone who has BSkyB, or watches it regularly, will know that its channels conform to everything in the new clause. TNT, for instance, shows old films predominantly—six or seven a day. Most are English, feature Jack Hawkins commanding a submarine and have been on television 15 times before, but they nevertheless fall within the criteria laid down in the new clause. Bravo shows films dating back to the 1950s; UK Gold features non-stop repeats of British programmes—yard after yard of "EastEnders" and "The Bill". Recently, it has shown all the Morecambe and Wise programmes, "The Two Ronnies", "Poldark", "Elizabeth R", "I, Claudius" and "Minder".

The whole nation enjoyed that marvellous television in the 1970s, and I very much enjoyed watching it for the second time. Often, when I leave the House at midnight—not feeling very tired—and there is nothing else on television, I watch a 1977 repeat of "Match of the Day". That is wonderful football. It is possible to watch recordings of historic sporting events, all of them British and original. All that stuff of which we are so proud is on satellite television—on BSkyB, for instance. The Discovery channel shows wonderful documentaries. Whether they feature jackboots marching into Poland, Adolf Hitler or the history of the Ford motor car, they are far better than anything that is produced now.

BSkyB would accept the new clause. The old British stuff that is shown on perhaps 10 of its channels far outweighs the new American stuff. I ask my hon. Friend to think carefully. His intentions in regard to quality and standards are admirable, but he must be more specific.

Mr. Dafis: I support the new clause, because I believe that we need guarantees on quality. As the hon. Member for Sunderland, South (Mr. Mullin) pointed out, when

there is intense competition it is easy for standards to fall. In Committee, I gave an example of the kind of reduction in quality that we have seen since the 1990 Act, specifically in the case of documentaries on third world and environmental issues which are produced on commercial channels. In many instances, there has been a reduction of some 40 per cent. in such coverage. It is a worrying trend.

I take it that, in referring to "high quality" and

"taking the relevant service as a whole",

the new clause encompasses such considerations. I could not regard a service as being of high quality unless it dealt, seriously and educationally, with the major issues of our time. Surely the issue of environmental sustainability and third world development is the big issue of our time. It is deeply depressing to see serious coverage of such matters diminishing. It is with that thought in mind that I shall vote for the new clause.

I am glad to note that new clause 35 deals with the same issue in a Welsh context. It also asks for a mechanism to allow consideration of Welsh broadcasting in its entirety, which we certainly need. Wales has three programme providers, which are in competition with each other but collaborating and co-operating at the same time. It is that second aspect that needs to be strengthened. Like others, I would like a proper, comprehensive study of the Welsh broadcasting scene to be conducted, examining ways in which it can be developed in the round.

The new clause refers to

"programmes included in any service intended for reception in Wales".

I take it that that makes it possible for us to discuss the BBC, which is a crucial element in co-operation on the Welsh scene. The BBC should recognise its responsibility, especially in regard to the amount of central funding that it provides for Wales. Between 1992 and 1996, its income from licences increased by about 14.7 per cent. I believe that funds for the BBC in Wales have increased at a much lower rate—by about a third of that amount. That is not good enough. Funds for the BBC in Wales are crucial. The BBC supplies 10 hours a week for S4C, and I understand that it regards that as fulfilling its responsibility for Wales; but it is not satisfactory.

Let me say a little about the reorganisation of the BBC that is currently proposed, and the effect that it may have in Wales. One member of the BBC's board of governors was responsible for regional broadcasting; now, one member of the new BBC broadcasting unit will be responsible for regional and educational broadcasting and a number of other important services. There is a danger that the whole regional dimension will suffer, and Wales will certainly be included in that decline.

The new clause refers to

"the cultural and linguistic heritage of Wales".

I know that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) will speak about the English language heritage of Wales in that context, and—if I may anticipate him—I agree entirely with what he will say. One of the big deficiencies in Welsh television provision is that that English-speaking culture, and the vitality of the English dialects that are spoken in Wales, are not reflected.

It often strikes me that journalists and announcers on BBC Wales and HTV speak not with any kind of Welsh accent, but in monotonous, boring received-pronunciation English. Sometimes they aspire even higher, and go for cut-glass English. The result is often comical. I consider cut-glass English comical in any event, but when it is spoken by people who are obviously affecting it and have had elocution lessons in order to do so, it is grotesque.

Language is an important part of culture and diversity, and dialect is part of that. I would welcome the comprehensive look at the broadcasting scene that new clause 35 encourages.

Mr. Bruce Grocott (The Wrekin): The new clause tabled by my hon. Friend the Member for Sunderland, South (Mr. Mullin) ought to be central to any Bill about broadcasting. The issue of quality should not have been debated so late in the proceedings on the Bill. I know that it was considered in Committee, but it should have been central to the original legislation, as it should have been central to the Broadcasting Act 1990, which caused such damage to the whole of British broadcasting.

Too many people—even people who work in broadcasting—see quality of programming as secondary to the delivery system. I do not mind whether programmes come by digital methods or, provided everyone has access to them, by cable, satellite or terrestrial means. What matters is the quality of the programme that comes by this miraculous medium. I worked in the industry for a while, but I did not understand how it worked. I was concerned about the quality of the picture that came out at the end. Quality should be central to our consideration and legislation.

The idea that profoundly divides the Conservatives and the Opposition is that quality programming can somehow happen by accident, or, as I suppose they would say, as a result of market forces. All the experience of the media in Britain is that that simply is not true. If I were to caricature the difference between the broadcast medium and the print medium—the newspapers—I would say that the broadcast medium has been subject to broad democratic control and regulation whereas the print medium has not. If I asked any neutral observer anywhere in the world whether British broadcasting or British newspapers had the highest reputation and the highest quality and which was to be admired and emulated, the answer would be broadcasting, not the print. There is a lesson there for us all to learn.

Any cursory reading of the history of the industry shows perfectly well that, if we want quality programming, we must find means of ensuring that it exists, as the new clause seeks to do in a modest way. I could think of several amendments to it. I shall describe briefly for the Government's benefit, if they will listen, even at this late stage, how quality programming can be achieved.

For a start, we need to provide for television skills in the industry. The multitude of skills that go towards making a television programme do not come out of thin air. They are created as a result of people working in the industry and being properly trained.

Where is the training coming from now? What is happening to all the people who now work for small production companies who previously worked for the BBC or ITV and received their training there? I do not knock the small production companies, but they are living off the skills of the past; off the skills of people who

[Mr. Bruce Grocott]

received their training in the BBC and ITV. What does the Bill say about training in relation to quality programming? Nothing.

My next comment may seem old-fashioned to Conservative Members, but I make no apology for it. If we want quality programming, we must provide some security of employment and a career structure. People need to know that, if they try their best to make a decent programme one week and fail, there will be an opportunity to improve the following week and to learn from other people. There must be security in the industry.

6.45 pm

My hon. Friend's new clause implies, but does not spell out specifically, that centres of excellence are needed. He wants to include a requirement for British broadcasting. I strongly support that, but I would add to it. I know that he agrees with me. Such requirements would mean that regional centres of excellence would have to be established. It would not mean that everything would be made in central London.

I want regional centres of excellence, not only because I want employment in the regions, but because we lose the richness of the possibility of producing good-quality television programmes if we require most of the programme makers and producers to live and work in London.

I am not talking about regional programming in the patronising way that we so often hear from the Government Benches. Ministers say, "Oh well, they do their regional show at 6.30 and the regional news." I strongly support regional programming and news, but I want to see network programmes made in the regions by people in the regions with regional skills. That also contributes to quality programming.

Mr. Maxton: Does my hon. Friend agree that regional and national production by the BBC and the ITV companies is important not only in terms of broadcasting but in terms of the continuation of art and culture in the regions? Regional broadcasting centres provide stable employment for a large number of people who work in the theatre and other areas at the same time.

Mr. Grocott: I agree with my hon. Friend. So many of these industries are related to each other. People move from one to the other. If a television production centre is moved from a region, a great part of its—I do not want to sound too pompous—cultural and artistic capacity is also removed. We all know what has happened to regional centres of production. One of the staggering things about the Government's attitude to the Bill is that they seem to have learnt none of the lessons of the previous failed legislation. Any Government spokesman ought to start by apologising for the 1990 Act.

I can only speak about what has happened in Birmingham. At Central Television there were four thriving studios before all the machinations surrounding the 1990 Act. There was a range of programming—not only regional news. There were programmes for the network and everything else. That has all been diminished. Skilled people have left.

I strongly support my hon. Friend the Member for Sunderland, South. If we are to get broadcasting back on the right track, we need to acknowledge that there must be a framework within which broadcasters operate which requires excellence and high standards. We need to stop bowing, as we constantly have under the Conservative Government, to the needs of advertisers and company mergers, and start listening a little more to the viewers and programme makers.

Some people may think that this is a trivial point, but I am afraid that I do not. One small example of the decline that has taken place as a result of the previous legislation is the ridiculous business of sponsorship of television programmes. Does it really add anything to the weather forecast that it is sponsored by PowerGen, "Bringing you electricity whatever the weather"? Does that improve the quality of the forecast? Does it add to the sum total of human understanding of the weather? Of course it does not.

That is an important example of the way in which the miraculous medium of television is not being used in the interests of quality programmes to enrich our lives, but is being subverted by the needs of accountants and advertisers. My hon. Friend's new clause goes some way to redressing the balance, and I strongly support it.

Mr. Rowlands: I wish to address my remarks to new clause 35, which the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) touched on. I make no apology for raising Welsh issues again, because one of the purposes of the Report stage of a Bill is to report to the House what changes the Committee has made to the Bill.

In the context of Welsh broadcasting, the Bill is radically different from that which entered Committee. It will transform the role of S4C in the digital age. Let me draw to the attention of the whole House exactly what those changes are.

First, there will be a major new role for S4C on multiplex 3. It will have a much larger role than was envisaged on Second Reading. Secondly, S4C will be freed to go into satellite, cable and radio in both the Welsh language and English. Thirdly, it will be expected to exploit its commercial potential on its new multiplex, with a new financial arrangement of a commercial character. Fourthly, it will have new opportunities to expand its language service, as Channel 4 in the digital age will be removed from the S4C programmes and become a service all of its own.

Mr. Allan Rogers (Rhondda): My hon. Friend has touched on the financial arrangements and restructuring of S4C, but has he looked at the accountability of S4C, which receives a huge public subvention for programmes but is accountable to no one?

Mr. Rowlands: I should declare an interest when referring to S4C, because my wife is a member of the S4C authority, so I am accountable, if no one else is.

I should point out to my hon. Friend the Member for Rhondda (Mr. Rogers) that the commercial and funding arrangements governing the new functions of S4C will be kept separate from its existing functions. No public funds from S4C can be used for its commercial developments.

Sir Wyn Roberts (Conwy): Is not the answer to the question of the hon. Member for Rhondda that the S4C authority has to lay an annual report before the House?

Mr. Rowlands: Yes, it does, and that gives us an opportunity to debate it. The most recent one, in common with previous reports, continues to inform our debates.

I should like to draw specific attention to the other dimension to broadcasting in Wales—broadcasting in the English language. In some respects, other aspects of the Bill will have a disadvantageous effect upon the English language services and broadcasts in Wales. As the hon. Member for Ceredigion and Pembroke, North said, we should be deeply concerned about the centralised role of the BBC.

The figures are quite astonishing—BBC Wales broadcasts in the English language contribute just 19 hours to the BBC network. That even contrasts poorly with the output in Scotland, which contributes 90 hours. Even more astonishing, the factual and documentary programmes provided by Scotland, Northern Ireland and Wales constitute just 1 per cent. of the total output. A major change of heart is needed by the BBC in relation to the two nations and the English regions.

I should like to draw the House's attention to the other means of English broadcasting in Wales—our commercial station, HTV. It will be greatly affected by the alterations in the Bill. The combined BBC and HTV investment in programmes in the English language adds up to only £25 million a year. That contrasts with the £63 million that is rightly dedicated to Welsh language programmes of S4C.

HTV will also be affected in three other serious ways, which will have a knock-on effect on potential English language broadcasts in Wales. First, in the past, HTV did not have to compete with Channel 4, because Channel 4 was part and parcel of S4C. The new Channel 4 in the digital age, however, will be a major competitor.

Secondly, £3 million from HTV will be returned to Channel 4, which is not committed to spending that money in Wales or in any of the other regions. Thirdly, HTV will face potential competition from S4C, which will have a role in one way or another in the production of English language programmes. On top of that, it is saddled with the incredible nonsense of the licensing arrangements that have led to HTV paying £23 million a year for its licence, whereas, as my hon. Friend the Member for The Wrekin (Mr. Grocott) has already said, Central pays £250,000—

Mr. Grocott: It pays £2,000.

Mr. Rowlands: Compare that with the £23 million cost of the HTV licence. That cost is a major drain on the development of English language broadcasts in Wales.

Many of the changes in the Bill are most welcome in relation to S4C, but we must consider the disadvantages that may be suffered by English language programme making in Wales, particularly that of HTV.

There is one simple solution to the problem. The renegotiation of the licence should coincide with the changes that will result from the Bill. The disadvantages that HTV will suffer as a result of the Bill could be compensated by changes to the licensing arrangements. That alteration, combined with the demands that we should rightly be making upon the BBC nationally to amend its attitude to English language broadcasting in Wales, would offer a solution. We should have a much more balanced view of broadcasting in Wales.

I hope that, if nothing else, we have impressed upon the Minister and the Department today, as we did in Committee, that broadcasting in Wales is not just a matter of the Welsh language. It goes much broader than that, relating to the opportunity and potential talent of so many people in Wales to express their skills also in the English language.

Mr. Austin Mitchell (Great Grimsby): I support the new clause moved by my hon. Friend the Member for Sunderland, South (Mr. Mullin). I was the second Member to put my name to it, and, emboldened by my presence, others more distinguished than I followed. Perhaps they did not have the courage to do so until they saw our joint names on the new clause.

As my hon. Friend would expect, I express my support from a slightly different point of view, as someone—here I must declare an interest—who presents a political programme on Sky Television. I speak for freedom, truth and justice, and Lord Tebbit speaks from his point of view. We discuss the issues of the week.

I support the new clause because it is right in principle. I support it because the trade union representatives who came to speak to us about the Bill want some quality control and quality influence on the part of the ITC to be included in the Bill. It is right that that should be done.

I support the new clause because, at the moment, the ITC's powers are inadequate. Its basic powers are to see that people live up to the terms of their submission for a contract, and to exercise an effective control over regional programmes and the amount of production for local viewing in the regions. It should have some power over quality, and have the ability to edge companies up-market. It is not good enough merely to give it the negative power to say, "You've departed from your contract."

The quality power enshrined in the new clause is appropriate, because we have seen a deterioration in the quality of current affair programmes in particular. The production of such programmes is always difficult, because they do not win audiences as news and entertainment programmes do. When I used to work in current affairs, it was a golden rule that such a programme lost between one third and a half of the audience, perhaps because I was on such programmes, that it started out with. It would be difficult to persuade companies to produce quality current affairs programmes unless the ITC had some power to demand it.

I also support the new clause because digital represents a whole new ball game, in which we must try to seek some guarantee of standards. Competition in television is intensifying, and it is possible that we will see the same remorseless slide down-market as we have seen in the press.

The standards of popular television in this country are higher than those of the popular press. We have the least worst television in the world, and perhaps the least best popular press. Why? Because the competition is not as intense in television, and because television is regulated to maintain standards in a way that is not possible in the press. We need that type of regulation. The new clause addresses that important issue directly. That is why it is necessary.

I must enter a caveat, because satellite needs a slightly different approach. One cannot achieve a level playing field in respect of the British percentage of programmes

[Mr. Austin Mitchell]

or the definition of quality between satellite and cable on the one hand and terrestrial television on the other. My hon. Friend the Member for Bassetlaw (Mr. Ashton) has pointed out the differences, and said that many satellite programmes represent high quality and British production. It is certainly true that Sky One and Sky News have not gone down market as many people expected.

Satellite is different, because it does not have access to the privileged channels that terrestrial represents. Those channels are privileged, powerful and universal channels. Satellite has had to build its own audience in its own way, and in doing so, it has responded to different needs. One means of building an audience is through massive investment in British productions, because people here like British-produced programmes.

Given the way in which satellite was launched, however, it was impossible to fulfil that requirement in the same way as terrestrial has managed to do. Satellite has therefore built up its audience by approaching the task differently and by providing a different kind of programme. It will not be able to jump suddenly into the same kind of box of requirements now met by the terrestrial channels.

The future of television must lie in the fact that most people will turn for their basic viewing to the terrestrial channels. That is what happens still in the United States. There is a multiplicity of channels in that country, but between 60 and 70 per cent. of the audience still watch basic network television. The same will happen here. People will rely for basic viewing on network television—the bread and butter of television.

People will turn to cable, satellite, perhaps digital—that is difficult to make predictions about at the moment—to follow up specialised interests such as sport or news. I confess that I am a news freak. I love CNN and Sky News, because they make it possible to watch the news as it happens. It is exciting. Some people are news freaks; some people want a variety of films. They will turn to cable, satellite or digital for a diet supplement of their own specialised interest. It is difficult to regulate the quality or the British production on cable, satellite or digital television as we would terrestrial channels.

7 pm

It is right for the ITC to have power and influence, but it cannot have what my hon. Friend the Member for Sunderland, South urged it to have—an absolutely level playing field, with the same requirements imposed on both sides. Indeed, as I read it, the new clause does not require that, because it uses the words

"taking the relevant service as a whole"—

that could be the channel in cable and satellite—and the requirement is to obtain

"a suitable proportion of original material".

Suitability

"shall have the meaning assigned to it in guidance which shall be issued".

Inevitably, that suitability will be different for different channels on cable and satellite. We are saying not that the British content should be the same throughout, but that the ITC should have the power to edge up and raise standards.

Admittedly, quality is intangible. Some people assume that quality is taste. I wonder whether my hon. Friend the Member for Sunderland, South would admit "Blind Date" as a quality programme. I regard it as a quality programme. It has high production values, and it is entertaining and extremely well done. I am compelled to watch it because my wife loves it, so I do not have much alternative. Quality lies in production values, in training, as my hon. Friend said, and in the approach to programming, rather than in taste.

Television's role is to educate, inform and entertain. To do so, we must be able to ensure quality programming, maintain quality standards and give the ITC the power to keep pushing them up, to maintain the pressure, to review the position continually and to keep reviewing the British content. That is extremely important, because commercial pressures, which will intensify as we get more channels, are pushing things the other way. We want the ITC to have the power to combat that, to have its own role as it once did and should again, to maintain the quality we believe we have in British television, which we are entitled to maintain.

Mr. Stephen Timms (Newham, North-East): I support the new clause. As my hon. Friend the Member for Sunderland, South (Mr. Mullin) said, in Committee the Minister's position on quality was initially somewhat confused, but in discussion it became much clearer. He was pressed by Opposition members of the Committee on that point and, in response, said that, in his view, the Bill did allow the ITC to apply quality criteria by inheritance from the Broadcasting Act 1990, and that, other things being equal, the ITC could use quality as one of its criteria in determining digital licence applications. That is explicit, for example, in columns 66 and 68 of the Committee *Hansard*.

However, the ITC advised us throughout that that interpretation of the Bill was factually incorrect, and that the Bill did not give those powers to the commission. The Minister assured us that those fears were groundless, but now, in the letter that my right hon. Friend the Member for Copeland (Dr. Cunningham) mentioned a few moments ago, the Minister has accepted that the ITC was right, that he was mistaken, and that he inadvertently misled the Committee on that point.

What is really worrying is the part of the Minister's letter in which he spells out to the Committee the reality of this inheritance from the 1990 Act. I know, because I spoke to the ITC this afternoon, that it is dismayed about what the letter says. It says:

"the ITC will be constrained in awarding licences to do so on the basis of the criteria set out in Clause 8".

That is exactly what worried members on both sides of the Committee who were concerned about quality, because clause 8 does not mention quality, regionality or originality.

If the ITC is indeed constrained to consider solely the criteria set out in clause 8, as the Minister's letter says, all the assurances that the Minister gave the Committee were without foundation. I hope that, in responding to the debate, he will at least confirm the rather weak assurances on this subject that he gave us in Committee, especially in column 68, that the ITC can take quality, regionality and originality into account, even though they are absent

from clause 8, because that alone is the basis on which the Bill emerged unamended on this point from the Committee.

Mr. Sproat: I thank the hon. Member for Sunderland, South (Mr. Mullin) for tabling his amendment and giving us the chance to run through these extremely important issues. We know from Question Time before consideration of the Bill, from Second Reading and from Committee how important hon. Members on both sides of the House consider this matter to be. However, I cannot commend new clause 4 to the House. It appears to the Government to be much too restrictive.

We should compare the new clause with what currently applies to the broadcasting regulators. Currently, they are required to promote fair and effective competition and to ensure that, taken as a whole, the services they license are of high quality and calculated to appeal to a wide variety of tastes and interests.

Within that general remit, there are specific statutory arrangements, spelling out the criteria to be applied in granting particular categories of licence. These take account of the very different circumstances of different licence categories. Strict and detailed programming and scheduling content conditions apply to the holders of regional Channel 3 licences. These are clearly not intended, for example, in the case of satellite, where the constraints of spectrum scarcity are so much less and there is consumer choice and subscription access rather than free-to-air broadcasting.

It is not as though the Bill actively precludes the quality and original UK programming criteria which this amendment seeks to make paramount for every service. The general duties in the 1990 Act, which I began by mentioning, will be applied by the Bill to the new digital programme services. This is what is secured by Government amendments Nos. 11 to 13. Under the Bill as it stands, the regulators will be free to take account of quality considerations in assessing how likely a particular programme package proposed by a multiplex applicant is to appeal to viewers and listeners and thereby promote their take-up of digital receiving equipment.

Similarly, quality considerations can be taken into account in considering, as the market develops, the acceptability of any licence variations relating to programming which a multiplex operator may propose. In the Government's view, this strikes the right balance between the need to ensure that the market can prosper and the need to allow the regulators to avoid any danger of a flood of low-quality or stale programming.

Similarly, the Bill applies a statutory requirement that new digital terrestrial television services include at least 10 per cent. of original European-produced programming, and the higher figure of 25 per cent. will apply in perpetuity to the digital broadcasting by channels 1 to 5 of the services provided in digital simulcast and after analogue switch-off on the new digital services on that channel of the multiplex.

New clause 4 is not needed, and does not propose a practical means of regulating commercial broadcasters. The Government will oppose it if the Opposition seek to put it to the vote.

Perhaps I might just say that, although it has been an extremely interesting debate, different people who have spoken have used the word "quality" for different concepts. There is quality as applied to what one might call highbrow programming—I do not say that in anything other than a neutral sense—Shakespeare or high-class documentaries and so on. There is also quality in the sense that the hon. Member for Great Grimsby (Mr. Mitchell) meant when he said that "Blind Date" is a high-quality show. I am sure that he is right—but it is a different sort of high quality. Both kinds are important, but it is also important to remember that the same word can be used in quite different senses.

The word "quality" can be used in yet another sense as well. Some people who talk about quality broadcasting mean that programming should include a certain number of hours of religious or educational broadcasting, or documentaries. Finally, quality can also be taken to mean taste, decency and impartiality—items that are taken into account in the Bill, and which were included in section 6 of the 1990 Act.

The hon. Member for Newham, North–East (Mr. Timms) mentioned the debates that we have had on the question of a backstop. I said that the lawyers could not make up their minds whether the backstop that I believe is in section 2 of the 1990 Act is imported to this Bill by schedule 7. Quite fairly, I told the Committee that I thought it was, but that, if not, I would bring it in: which is what I am doing. Besides taste, decency and impartiality, which are to be found in section 6, there is to be this second, albeit less important, backstop—in the form of the sort of quality that the ITC must take into account when scrutinising the whole range of services.

The same arguments apply to new clause 35, which relates to programming in Wales. It is a fact of commercial broadcasting that broadcasters need to appeal to their audiences. In Wales, that means broadcasting material of interest to those living in Wales; and HTV and S4C broadcast a wealth of material that reflects the cultural and linguistic heritage of Wales.

I pay tribute to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) for helping to educate me in the value of the English language in Wales as well as the Welsh language, and I thank him for sending me the text of a talk given by Mr. Geraint Talfan Davies, which I found fascinating.

The Government regard the new clauses as unnecessary, and will vote against both.

Question put, That the clause be read a Second time:—

The House divided: Ayes 272, Noes 289.

Division No. 159] **[7.12 pm**

AYES

Abbott, Ms Diane	Beckett, Rt Hon Margaret
Adams, Mrs Irene	Bell, Stuart
Ainger, Nick	Benn, Rt Hon Tony
Ainsworth, Robert *(Cov'try NE)*	Bennett, Andrew F
Allen, Graham	Benton, Joe
Alton, David	Bermingham, Gerald
Anderson, Ms Janet *(Ros'dale)*	Berry, Roger
Armstrong, Hilary	Betts, Clive
Ashdown, Rt Hon Paddy	Blair, Rt Hon Tony
Ashton, Joe	Blunkett, David
Austin-Walker, John	Boateng, Paul
Banks, Tony *(Newham NW)*	Bradley, Keith
Barnes, Harry	Bray, Dr Jeremy
Barron, Kevin	Brown, N *(N'c'tle upon Tyne E)*
Battle, John	Bruce, Malcolm *(Gordon)*
Bayley, Hugh	Byers, Stephen

Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Cummings and Mr. Eric Martlew.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bournm'th E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael

Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Patrick McLoughlin.

Question accordingly negatived.

New clause 7

PLAN FOR REDUCTION OF VIOLENCE DEPICTED ON TELEVISION

'(1) The Secretary of State shall draw up a plan within one year of this Act receiving Royal Assent with the aim of reducing the amount of violence depicted on television.

(2) The Secretary of State shall present to Parliament in the form of a White Paper the plan drawn up under subsection (1).

(3) The Secretary of State shall make a report to Parliament annually concerning the amount of violence depicted on television and progress towards achieving the objectives mentioned in subsection (1).'.—*[Mr. Dafis.]*

Brought up, and read the First time.

Mr. Dafis: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss the following: New clause 10—*Duty of the Broadcasting Standards Commission (BSC) to carry out research into use of 'V' chip to regulate portrayal of violence on television*—

'.—It shall be the duty of the BSC to carry out research into the effects on viewers of the level and frequency of images of violence contained in television programmes and into the feasibility and desirability of requiring the installation in all new television sets of

an electronic device designed, subject to an override power, automatically to block the reception of programmes whose violent content falls within a predetermined classification as being unsuitable for viewing by persons under the age of eighteen.'.

New clause 11—*Duty of the broadcasters to classify programmes according to violent content*—

'.—(1) It shall be the duty of every broadcasting body to establish a common system of classification for all programmes containing material of a violent nature.

(2) The system established under subsection (1) shall provide, whether by the use of symbols or some other means, for the differential classification of programmes containing different levels of violent material.

(3) It shall be the duty of the appropriate regulatory body, or in the case of the BBC the Board of Governors, to ensure that the requirement in subsection (1) is complied with and that steps are taken to publish both before and during transmission of the programme in question the classification which has been applied to it.

(4) "Broadcasting body" in subsection (1) includes the holder of a licence under this Act or the 1990 Act, the BBC and Channel 4.'.

Mr. Dafis: I shall start with the presumption that what people watch, listen to and read influences their attitudes, values, psychological make-up, behaviour and the quality of their spiritual life—particularly during their formative years. This statement is nothing more than common sense, but it is a position that is often lost during sophisticated argument.

If what I have said is true, if great skill, creativity, major investment and the deployment of technological resources are brought to bear on what people watch and listen to—as happens with television—the influence will be significant, if not enormous. In this context, we need to bear in mind the extent to which television is driven by commercial considerations and by the profit motive.

Society has the right to require those who prepare and deliver television services to exercise that influence with responsibility and to consider the general welfare of the community. Freedom of expression is an enormously important consideration—I believe that passionately. I have studied *Aereopagitica*. I was horrified by the attempt to silence the great writer, Salman Rushdie, who wrote the inspired and profoundly modern book *The Satanic Verses*. Like all freedoms—freedom from violence, freedom from attack, freedom from sexual exploitation and from oppression—freedom of expression must be exercised so as not to damage the freedom of others and of society. The depiction of violence and sexual activity or pornography together is particularly pernicious.

We are in a difficult area when talking about freedom. There is a real danger that we may muzzle artists in the name of conformity and respectability and that we may prevent the truth from being told. I draw hon. Members' attention to the fact that my new clause applies specifically to violence and to the amount of violence that is shown on television. We all recognise that art must depict the reality of the human condition, including violence and depravity. No one would advocate—I do not—sanitising television programmes or art. However, there are legitimate questions to ask about, first, the quantity of violent depictions; secondly, the nature of those depictions; and, thirdly, the motivation for depicting violence on television. Those issues must be addressed.

We must recognise also that we face an unprecedented situation with the scale of television and the electronic media. Great artists have always been fascinated by what happens to the human character in extremis: they have always been fascinated by murder and sex and the relationship between the two. That is particularly true of two great artists, Sophocles and Shakespeare. However, it is misleading to compare their depictions with what we see on television.

Theatrical depictions were always highly stylised—the most horrifying events would often occur off-stage. Oedipus's self-blinding occurs offstage, as do the murders of Duncan, of Macduff's children and of Cordelia.

7.30 pm

Mrs. Anne Campbell: What about the blinding of Gloucester?

Mr. Dafis: I was coming to that—"Out vile jelly"; I know the play well. Even more vivid and terrible is Othello's murder of Desdemona, which also occurs on-stage. A great artist's depiction of such events in a tragedy fulfils a vital function: Aristotle talked about the process of arousing pity and terror to achieve a catharsis of the emotions. That has been my experience of such plays. Even when terrible events were depicted on-stage, it was done in a highly stylised manner: the horror was more in the words that in the images. My point is that the crude props of the Elizabethan stage could not portray those events with the totally convincing realism and intimate detail that are possible on television and film. The electronic media is a different ball game.

Another consideration is the frequency with which one sees violent events depicted. The typical Elizabethan would visit a London theatre—at the zenith of theatre's popularity—a few times a year, at best. When I was a boy, I managed to get to the pictures once a week—assuming that I gathered enough empty jam pots to take to the grocer and raised ninepence for a ticket. I did not see television until I was 16—and I thank God that I grew up free from its influence. The situation is altogether different today. We cannot compare what occurred in the past with the presence of television in the home—we are told that people watch it for four or five hours daily. Televisions can be found not only in the family room but in the bedrooms of children and young people.

Ms Eagle: I ask the hon. Gentleman to clarify his new clause which proposes reducing the amount of violence that is depicted on television. Does that include the coverage of violent events on the television news?

Mr. Dafis: I do not differentiate between the depiction of violence on the news and on fictional programmes. The material consideration is the sheer quantity of violent depictions. I do not argue that violence should not be depicted on television, but I raise the issue of quantity. It is well known that many people fear that even the presentation of violent scenes on the news can have an inuring effect and can desensitise people to violence. We must be aware of that danger—as must news editors when they select footage to show on the news. I am viewing the issue in the round and considering the total number of depictions of violence.

We face a new situation and, in that context, the fondness of artists and authors for depicting violence must be viewed differently. We must bear it in mind that much violence is depicted in the pursuit of ratings—that is the

great motivator. Many hon. Members will have seen the report on teachers' views and concerns about the matter. The findings of a survey of teachers conducted by the Professional Association of Teachers—a union about which I am not particularly enthusiastic—correspond with the experiences that I gained while working as a teacher and with the views that I sought from other teachers.

That survey points out that schoolteachers are profoundly concerned about the influence of violence on television on their pupils. They believe that children's viewing habits are not monitored sufficiently by parents and that the current safeguards which are designed to protect children from exposure to adult entertainment are not working. Most important, teachers believe that children are profoundly affected by the television programmes and the videos that they see. As children's value systems are not fully formed, there is consequently a strong tendency for them to assume that what they see portrayed is normal. They may try to imitate or to emulate such behaviour. Mimicry is one manifestation of an influence, but the most damaging influence is more deep-seated and subtle than that. Teachers believe that, in some cases, children who spend a great deal of time watching violent programmes may suffer behavioural consequences.

I have spoken tonight about children, but no one is immune to the influence of violent material. No one is immune to that exposure, but the danger to children is clear. I believe that there is too much violence on television and that we, as legislators, have a responsibility to try to reduce it. That is what my new clause would do. It takes a different approach to the problem from new clause 10, which is the V-chip proposal. I support that idea, but it involves parents intervening and accepting their responsibilities. I am emphasising the responsibility of the programme makers, including the authors, producers, commissioners and the channel operators. Their responsibility needs to be recognised. I am inclined, when the time comes, to force new clause 7 to a Division.

Mr. Michael Alison (Selby): I have much sympathy with new clause 7, tabled by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), but I wish to follow his general introduction to the theme of violence by associating myself with new clauses 10 and 11. Those two new clauses were tabled by the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and it is only by chance, and the way that the turn to speak, like a tennis service, goes backwards and forwards across the Floor of the House, that he is not speaking to the new clauses first.

I wish to express my appreciation to my right hon. Friend the Secretary of State for the interest and concern that she has expressed about the problem of violence, not least in the letter that she sent to me last week, from which I shall quote later. I also thank my right hon. Friend for her courtesy in referring in that letter to the report entitled "Violence, Pornography and the Media", which has all-party support and which was prepared and presented on behalf of the Family and Child Protection Group, which is chaired by my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight).

My right hon. Friend Secretary of State has seen the report, studied it and made helpful comments about it. I hope that she has noted the public opinion survey results, from an adequately large sample of more than 1,000 people who were questioned by a reputable professional research organisation. The summarised data from that poll show that 65 per cent. of those questioned or interviewed—a high proportion—are "concerned" or "very concerned" about the level of sex and violence used as entertainment in the media nowadays. Those 65 per cent. contrast with the figure of only 27 per cent. who are "not very concerned".

In the same poll, the summarised findings show that 58 per cent. of those questioned agreed with Dustin Hoffman's now notorious attribution of screen violence as one of the contributory causes of the Dunblane and Tasmanian massacres. That is a remarkable result. Some 58 per cent. of those polled agreed with Hoffman that screen violence was a contributory factor in the Dunblane and Tasmanian massacres and only 16 per cent. of those polled disagreed with that.

Mr. Brooke: There is a hazard in quoting such documents in a debate. I am sure that my right hon. Friend did not intend to mislead the House, but he has quoted a figure of 16 per cent. and it should be 28 per cent.

7.45 pm

Mr. Alison: My right hon. Friend is correct. Some 28 per cent. disagreed with Dustin Hoffman and 58 per cent. agreed with him.

Dr. Park Dietz, the chief psychiatrist of the United States Federal Bureau of Investigation, claimed that the factual worldwide portrayal of the massacre at Dunblane was a causative factor in the Tasmanian mass killing which followed soon after. That view, expressed by a professional psychiatrist—admittedly in the United States—suggests that the scenes from Dunblane had a direct effect on the weird criminal in Tasmania. I am not trying to persuade the House that news reportage is not inescapable and inevitable, but the portrayal of violence has a curious and unpredictable effect and the benefit of the doubt should always, when possible, be given to those who seek to restrict it.

Ms Eagle: The right hon. Gentleman has made an emotive, and debatable, connection between one event and another. Can he tell me why Dustin Hoffman should be considered an expert on such matters? Was not the easy availability of firearms much more of a problem in those appalling tragedies than how they were portrayed in the news media after they had happened?

Mr. Alison: I certainly would not claim that Dustin Hoffman is an expert. I am merely suggesting that he expressed a vivid viewpoint that is significant because the public were asked their opinion about it. The viewpoint stands on its own merits and, for a large proportion of those questioned for the survey, it was crystallised by the association with a prominent public figure. That screen violence was a contributory factor to real violence was an expression of the popular view and, if not demonstrably proven, that is what many people think.

I shall quote a sentence from the letter from my right hon. Friend the Secretary of State to me:

"To assume that violence may have an effect on some vulnerable individuals seems to me to be sound commonsense."

I entirely support and endorse my right hon. Friend's comment, and that is exactly the view that was expressed by the 58 per cent. who believed that Hoffman had expressed a rational and credible viewpoint.

[Mr. Alison]

Question No. 6 in the poll—I shall give the figures carefully, because my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) is clearly shadowing me—asks:

"Do you think the current safeguards to protect children from seeing violence and sex in the media, either through TV or video are too little, too much or about right?"

Some 68 per cent. thought the safeguards were too little, 5 per cent. thought they were too much and 24 per cent. thought they were about right. I hope that my right hon. Friend will allow me not to bother to quote the "None/Don't know" figure. I hope that the House will have noted that 68 per cent. of those questioned in that substantial poll thought that the current safeguards were inadequate.

A significant paragraph on page 13 of the report, on the alleged effect of media violence, says:

"An American account of the effect upon children stated that the average child watches 12,000 violent acts annually including 1,000 rapes, armed robberies and assaults, and concluded that 15 per cent. of all violence was television induced. Professor Comstock"—

the author of the research—

"has found 'a very solid relationship between viewing antisocial portrayals or violent episodes and behaving antisocially'."

That, too, is a common-sense observation and it is endorsed by what my right hon. Friend said in her letter to me.

The views of the New Zealand psychologists who examined the matter are particularly significant because of the ghastly tragedy that occurred in the antipodes. The views of the New Zealand Psychological Society related to the watching of television, and are set out on page 12 of the report. It noted a causal relationship between the amount of film violence viewed and subsequent aggressive and anti-social behaviour among both children and adults. It found that

"constant exposure has a desensitising effect with less physiological and psychological reaction",

that

"specific films may provide models which are directly imitated"

and

"the more realistic is film violence, the more likely it is to lead to aggressive behaviour."

A striking and deeply disturbing response to the inquiry appears on page 40—those colleagues who have the report can follow the plot—which quotes a survey by the Royal Society for the Prevention of Accidents in February 1995 dealing with playground accidents and copycat play. It was conducted by post and addressed to the head teachers of 250 schools, of which 91 replied. The replies received showed that 91 per cent. of the responding head teachers felt that violent television programmes were linked to aggressive behaviour in schools; 79 per cent. said that there had been examples of injuries linked to copycat play; 96 per cent. thought that educationists, safety experts and broadcasters should produce a code of practice specifically to deal with violence in children's television; and 52 per cent. mentioned Power Rangers by name. Given that the poll was sent to 250 schools, 91 replies was not as full a response as one might have wished for. Nevertheless, it is not an insubstantial number. The fact that the response showed a direct linkage between injury and pain caused in playground bullying or violence and television violence must give profound cause for concern in every part of the House.

I hope that my right hon. Friend the Secretary of State concedes that the public feel profoundly about this issue. Their common-sense view is that too much violence is particularly damaging for children, who have much readier access to it than they are meant to have under current efforts to restrain their viewing. The 9 pm watershed is clearly ineffectual because late-night programmes can be taped on video recorders once children have gone to bed and watched at a later date. That common-sense reaction, endorsed by my right hon. Friend, shows that there is a direct link, and we want the Bill to do something practical in response to public anxieties and misgivings.

I hope that my right hon. Friend will consider the facts, suggestions and proposals made in this parliamentary report.

Mr. David Alton (Liverpool, Mossley Hill): I am happy to follow the right hon. Member for Selby (Mr. Alison) and to support new clause 7. Taken together, new clauses 7, 10 and 11 demonstrate the partnership that is required between Government, Parliament, broadcasters and parents. No one would be naive enough to say that the only factors that create a violent society are violent or disturbing images, or that every person who sees violent scenes will necessarily be tipped over the edge. Nevertheless, there is widespread support for the view that the amount of violence on television is now spiralling out of control. That view must be reflected and action taken.

It is therefore important to point out what the new clauses would actually do, rather than what some have suggested that they might do. New clause 7, which calls for an annual report and a White Paper, is reflective and suggests that we take a deeper look at the problem. New clause 10, which stands in my name and is supported by the right hon. Member for Selby, the hon. Members for Congleton (Mrs. Winterton), for Batley and Spen (Mrs. Peacock), for Exeter (Sir J. Hannam), for Ilford, North (Mr. Bendall) and other Conservative Members, and by the hon. Members for Dumbarton (Mr. McFall) and for Belfast, South (Rev. Martin Smyth), shows the spectrum of support within the House.

New clause 10 calls on the Broadcasting Standards Council to carry out research into the effects on viewers of the level and frequency of violent images contained in television programmes, and into the feasibility and desirability of requiring the installation in all new television sets of what is popularly known as a V-chip. It does not go so far as some of us advocated on Second Reading, when we said that manufacturers should place a V-chip in all new sets. It recognises that we have yet to have a debate on that matter. Incidentally, that debate did not take place in Committee, so let us have that debate to reflect on the further action to be taken.

New clause 11 says that in the meantime we should get on with classifying programmes so that parents can decide what might be suitable for viewing in their homes and have some idea of what will be broadcast. If that can be electronically classified, as will be possible in the future, that will be all to the good.

Mr. Miller: The hon. Gentleman has praised new clause 7. Does he agree that new clause 10 pre-empts the outcome of the research suggested in new clause 7?

Mr. Alton: No, it does not. New clause 10 refers to

"research into the effects on viewers of . . . violence".

It then refers to the "desirability" of the V-chip as one weapon in the armoury. No one is saying that it is the only solution. However, given that 2 million people petitioned the Canadian Parliament, given that members of Congress, both Republican and Democrat, supported the new law signed by President Clinton to introduce the V-chip in the United States, given that the European Parliament has said that there should be a Europe-wide system of V-chips—that argument may not commend itself to some hon. Members—given the widespread debate in Europe and North America, and given the fact that action has already been taken, it would be absurd for us to deny British viewers the V-chip.

8 pm

There is wide all-party Back-Bench support for the proposal. More than 200 hon. Members signed an early-day motion that I tabled in 1993 calling for a royal commission on the causes of violence. In 1994, more than 250 hon. Members signed an early-day motion calling for the increased regulation of violent videos. The House will recall that the determination of hon. Members of all parties led the Home Secretary of the time, albeit reluctantly, to introduce changes in the Criminal Justice and Public Order Act 1994.

This year, more than 250 hon. Members have signed an early-day motion which condemns the British Board of Film Classification for certifying "Natural Born Killers" as a video suitable for home release and calls on the Government to implement the law as changed in 1994. Sad to say, there has been no response to that call as yet. However, in the context of this debate, it is not without significance that as part of a package of films, "Natural Born Killers" has been purchased by the BBC for possible broadcast on British television. John Birt says in a letter to me that no decision has yet been taken on whether that broadcast will go ahead.

I draw hon. Members' attention to this morning's edition of *The Daily Telegraph*, which says:

"Oliver Stone sued for £20 million by victim of copycat film violence."

John Grisham, the well-known novelist, is taking Oliver Stone to court because a friend of his was killed in a copycat killing based on the film "Natural Born Killers". There is no doubt that litigation, which is so popular in the United States, may lead to enormous downward pressure on the industry. Hollywood is looking at the outcome of that case, which may have far more long-term consequences than any debate about V-chips in the House today.

Only last week, the Press Association reported a case in Canada under the headline:

"Youth Killed and Skinned Young Playmate."

In Saskatchewan, a 14-year-old boy was influenced by a horror film he saw at least 10 times. There is often the problem of people videoing films, watching them again and again, and becoming obsessed by them. The report says that the boy

"cooked his victim's flesh on a stove".

According to the defence lawyer, Barry Singer, the boy was under the delusion

"after repeated viewings of the horror movie 'Warlock' that he would be able to fly if he drank boiled fat from his victim, 7-year-old Johnathan Thimpsen."

We are not talking about fantasyland; these things are actually happening. We need only think back to the case of Suzanne Capper, who was tortured to death while her torturers played a recording of the words and music from the "Child's Play III" video, to which the right hon. Member for Selby referred in the context of the Tasmanian killing. It was a film that the killer's girlfriend said that he had watched again and again.

Ms Eagle: Does the hon. Gentleman believe that actual events in news programmes should come within the purview of his suggestion? Does he believe that there should be censorship of news?

Mr. Alton: Categorically no. I do not think that there should be censorship of news. The hon. Lady may find more common cause with me than she imagines, as I am not suggesting that anyone other than the parent or person at home should censor anything. If any of us wished to have a V-chip installed in our television set, we would be free to do so. If we did not want a V-chip, we would not have to have one. People would decide what they wanted coming into their home. The Government rightly talk about putting more power in the hands of individual viewers and giving them more responsibility for themselves. That principle is entirely in accord with the idea of providing parents and viewers with these rights.

Mr. Austin Mitchell: That is not what new clause 10 says. It refers to the

"desirability of requiring the installation in all new television sets of an electronic device".

Mr. Alton: The new clause refers to the "desirability".

Mr. Mitchell: It refers to "all new television sets".

Mr. Alton: We should consider whether it is desirable. My view is that the installation of a V-chip should be left entirely to the consumer. As I said earlier, I have drawn back from the idea that we should require every manufacturer to install a V-chip, and that is why I have not tabled such an amendment today. New clause 10 says that we should look at the feasibility and desirability of installing V-chips. I accept the hon. Gentleman's point that the matter should be entirely one on which each person decides. He has my assurance on that.

Mr. Mike Gapes (Ilford, South): The hon. Gentleman has talked about parental responsibility. I am the father of three young daughters. I am very concerned about violence at 9 o'clock in the morning in cartoon programmes, not violence at 9 o'clock at night. I am a little worried that the V-chip proposal could be seen as a panacea and could thus take away parental responsibility. Just as one lets the children watch the cartoons in the morning because one wants to do other things, so one might leave the room and assume that the V-chip has

[Mr. Mike Gapes]

solved all the problems although there might be things that are totally inappropriate for three-year-olds or seven-year-olds to watch.

Mr. Alton: I agree with the hon. Gentleman. I, too, have three young children, from seven years down. Any parent who uses a television set and computer games as electronic baby sitters is being downright irresponsible. They can never take the place of parents. It would equally be absurd for us to suggest that the flickering box in the corner which has taken the place of the hearth, as the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) said, can be ignored and that we can somehow turn back the clock.

Television is part and parcel of modern life. The issue is how we can regulate it in a way that is responsible and reasonable. If one can scramble signals coming into one's home by electronic means rather than by the parent having to be there day and night, one has some limited control. The hon. Member for Ilford, South (Mr. Gapes) is right: I am not suggesting that the V-chip is a panacea; I see it as a tool, as a weapon in the armoury, no more and no less.

Ms Eagle: How would the installation of V-chips deal with the serious problem of parental irresponsibility? Irresponsible parents will not make use of the V-chip.

Mr. Alton: I have said that I do not see the V-chip as a panacea. It will be a tool for parents who want to exercise responsibility. In addition, we would put a downward pressure on those who make films that contain ridiculously high levels of gratuitous violence. New clause 7 provides that an annual report should be made to Parliament concerning the amount of violence depicted on television. I said at the outset that new clauses 7, 10 and 11 should be taken together. I agree that the V-chip is not the only solution.

The hon. Lady will know of people on the great sink estates, such as those in our conurbation on Merseyside and elsewhere, who live in situations where there may be relative economic prosperity, but where there may be deep levels of spiritual poverty in the sense of lack of love, lack of parenting and lack of help, where children are often left to fend for themselves. That is the situation into which we pour an unending diet of violence and that, in turn, creates the violent society in which we live today.

On 23 June, *The Sunday Times* found that two thirds of children aged between nine and 11 had watched 18-rated movies such as "Silence of the Lambs", "Basic Instinct" and "Pulp Fiction". That touches on the point that the hon. Member for Wallasey (Ms Eagle) has just made. There is a need to tackle the problem universally, not just through the V-chip. More than half the children covered by the survey had televisions in their bedrooms and more than a quarter had VCRs in their bedrooms. In my opinion, that is as potentially dangerous as allowing a stranger in a child's bedroom.

Mention has been made of the survey by the Professional Association of Teachers. The National Society for the Prevention of Cruelty to Children has called for more controls on screen violence, as has the Royal College of Psychiatrists. Over the years, the Government have expressed their concern about screen violence through statutory provisions giving powers to the British Board of Film Censors, the Independent Television Commission and the proposed Broadcasting Standards Commission to maintain standards of taste and decency, specifying gratuitous violence as a particular concern. However, those safeguards have failed to halt a culture of screen violence that is spiralling out of control.

The right hon. Member for Selby mentioned the comments of Dustin Hoffman. Recently, Ben Elton has been writing and stating publicly that far too much violence is broadcast on television and it should be curbed. Charlton Heston has also spoken against screen violence. David Puttnam, who many hon. Members greatly admire and respect because of his contribution to British film making, said last year that the railway company does not wait until a child has been run over by a train before deciding to put up a fence along the railway line. That is all the House is being asked to do tonight.

New clauses 10 and 11 represent modest proposals in tackling screen violence. V-chip technology is at the cutting edge of the battle against screen violence. Its application has been thoroughly researched and tested in Canada, where it was agreed that it should be a feature of all new sets. V-chip technology is not limited to new sets; it can be installed in old sets for about £2.

The main benefit of the V-chip is not the extra control that it gives parents who choose to use it—although that is a significant bonus—but its impact on broadcasters. The obligation to classify programmes would not only force broadcasters to develop a working code on violence, but would confront them each day with the implications of including gratuitous violence in their programmes.

The Minister will know from the extensive lobbying that she has received from broadcasters and advertisers that the V-chip will mean that broadcasters cannot guarantee the advertisers particular audience levels for programmes that contain gratuitous violence. Surely that is good as it would put pressure on those who make such programmes. It always strikes me as slightly ironic that the same advertisers who are against the curtailment of outlets for putting their advertisements into programmes spend £4,000 million every year trying to sell us their wares on television. If they did not think that what we saw had any influence on us, presumably they would not spend so much money on television advertising.

Who is opposed to our modest and reasonable proposals? It has been suggested that the V-chip would encourage broadcasters to show more violence. That is incorrect for the following reasons. First, none of the proposals dismantle existing controls on broadcasters or negate their responsibility to respect standards of taste and decency. I expect that the Secretary of State will tell us that the ITV companies and the BBC have become more sensitive to violence. However, I would expect that to be the case whether or not parents are given extra controls.

Secondly, commercial pressure from advertisers seeking verifiable audience figures would be brought to bear on the broadcasters, who would be less likely to opt for increasing violence to grab high ratings. Thirdly, the evidence of the regulation of screen violence in the film industry is that although some directors continue to test and exceed the limits, the majority seek to produce films with a lower rating in order to guarantee a wider target audience—for example, a PG rating rather than an 18 rating.

It is further argued that although the United States has opted for the V-chip technology, it has had little effect on the mounting levels of horrific violence shown on American television. That is a specious argument which misunderstands the nature of broadcasting in the United States. United States broadcasters face strict regulation on sex and language, but they operate in a far more permissive regime with regard to violence. V-chip technology has yet to be introduced in the United States. Until that happens, it is ridiculous to brand it ineffective. There is no watershed in the United States and broadcasters can show violent programmes at any time.

The principal argument against the V-chip comes from the advertisers. It is not without significance that the Advertising Association arranged for opponents of the V-chip from the United States to attend a seminar at the Department of National Heritage. According to the Advertising Association's public relations office, civil servants made the arrangements and the same opponents also had meetings with the Secretary of State. If the Advertising Association was asked to bring in opponents of the V-chip from the United States, why did it not fly in supporters of the V-chip and hear from the people who are in favour of it before today's debate?

In Britain, the watershed is now being used as a fig-leaf to cover the increasingly gross content of broadcasting into the early hours. That is a more fundamental concern than any theoretical question about the effect that the V-chip might have on broadcasters in future. *The Sunday Times* demonstrated the ineffectiveness of the watershed in the figures that I have already given the House.

Those who believe that it is all a matter of parental control should reflect on what these surveys tell us about the capacity of the majority of parents to control what their children see, let alone what they see when they are outside their parents' control—for instance at friends' homes.

The amendments represent a modest but useful step in the right direction. They reflect the concerns of hon. Members on both sides of the House as well as those of the electorate and I commend them to the House.

8.15 pm

Mr. David Mellor (Putney): I shall make only a brief contribution to the debate so eloquently introduced by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), whose knowledge of Shakespeare I envy and admire.

We should all be concerned about violence on the screen. However, the idea that the V-chip can contribute to the control of that violence is completely untenable and unsustainable. To illustrate that, I shall expand briefly on the points that I made on Second Reading.

I am something of a veteran of these encounters, having started as a Home Office Minister with the Video Recordings Bill 1984—which established video classifications—introduced by my hon. Friend the Member for Luton, South (Sir G. Bright). One of the tragedies of such debates is that they tend to polarise opinion, largely because the case for change is overstated. It is impossible not to have the highest regard for my right hon. Friend the Member for Selby (Mr. Alison), but to suggest that the Dunblane massacre is relevant to the debate was profoundly misleading. Thomas Hamilton had many problems in addition to being warped by television violence. If we wanted to do something positive about Dunblane, we would not wait until Lord Cullen produced his report before taking action.

As a Home Office Minister, I remember trawling endlessly through research on screen violence. Frankly, it is an abdication of our responsibility in the House to ask researchers to tell us whether such images are damaging. Researchers cannot tell us that. However, research has made it absolutely clear that damaged personalities can be further damaged by exposure to extreme violence. Most of us can watch scenes of extreme violence and merely feel repelled that we live in a society which produces such entertainment. It does not make us want to go out and hack somebody to bits. Although we should not underestimate the common sense of most of our fellow citizens, there is no doubt that some people are deeply warped and damaged by screen violence. It probably inflames their imaginations and causes some of them to go over the edge—it may be a precipitating factor.

Although it was interesting to hear about some of the curious responses to opinion pollsters—perhaps to satirise the whole process of opinion polling—nevertheless, one of the problems of addressing screen violence is the ambivalence of the public response. The very members of the public who say how much they deplore screen violence will watch it. Why are those films made? Why are those television programmes shown? Many of them are high-audience programmes. They are shown because they attract an audience and because sensationalism attracts people. That is why we can place very little faith in public opinion surveys. Surely we must place faith in our own common sense and the structures that Parliament has established to control those elements and ensure that those controls are exercised effectively.

The hon. Member for Wallasey (Ms Eagle) referred to television news. There is censorship of television news. It is not applied externally, but by the editors of television news programmes who—perfectly honourably—often choose to reject footage that would be sensational because it is too awful to be seen. We should encourage them to do that. Scenes of a massacre are not made that much more attractive by close-ups of bodies and glorious technicolour shots of wounds.

By the same token, we must accept that, although television is in the firing line tonight, the real problem with extreme screen violence lies with Hollywood and our obsession with American culture. What Dustin Hoffman said is relevant because he is representative of an increasing trend in Hollywood, which should have begun before, of people who, having made millions and millions of pounds out of films, are suddenly becoming repelled by the very industry in which they have been involved.

I am glad that we have moved on to talking about violence. Years ago, when I started in the business, if one may so describe it, we talked about sex. Violence has rightly moved to the centre of the stage, and for that at least we can be grateful because we ought to be particularly concerned about violence, and certainly about extreme sexual violence.

Every film that a director makes, he makes to establish a certain notoriety; to push the frontiers forward. He also makes it on the basis that someone else will come along and do something more extreme. We do not need to add new clauses to do something about that. We have the British Board of Film Classification, which has the power to neuter

[Mr. David Mellor]

such products by refusing to grant them a licence. We should encourage it to do so, but not in order to present some fairy-tale vision of the world or to suggest that the world outside may be awful but what will be shown will be only what would pass for entertainment 50 years ago.

One cannot turn the clock back. We should encourage the BBFC to take action if it sees a film that plainly and simply wants to reproduce exploitative violence to attract and create sensation and to draw people in to do nothing more profound than shock them more deeply than they were by what they saw the previous month.

Mr. John Whittingdale (Colchester, South and Maldon): Is my right hon. and learned Friend aware that—I believe—only two films have been permanently refused certificates for video release by the BBFC? One was "The Exorcist" and the other was "Straw Dogs" which, of course, starred Dustin Hoffman?

Mr. Mellor: That is not quite true. It is probably true of films that were given a cinema classification but were then refused for home release. There is a restricted category that was taken out of any classification, which was introduced by the Video Recordings Act 1984. Indeed, I had to watch some of those films, such as "Faces of Death" and "Driller Killer". Does anybody want to join me on this trip down memory lane? There is nothing new under the sun—we were into all that sort of stuff 12 years ago.

One of the reasons why I disagree with the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is that he sells his own case short by using all the profound points that he made about the damage done to already damaged lives to suggest that the V-chip has something to contribute. The V-chip is a piece of escapism. Does anyone understand what its introduction would mean? It is a crude piece of equipment. It operates only on a scale of one to five. It does not have a mind of its own. If five represents extreme violence, it is triggered and shuts off only because the material has been pre-censored and said to be of category five.

Although I agree with what the hon. Member for Mossley Hill said about sink estates, they are precisely the areas in which nobody would bother with the V-chip. Middle-class parents who do not have to worry that their child will turn into some teenage werewolf are probably the ones who will have their V-chip humming away. With the greatest respect to the hon. Gentleman, the V-chip is a sad delusion.

We must say that good people sit on the Independent Television Commission, that good people are governors on the board of the BBC, that—one hopes—good people sit on the Broadcasting Standards Council, or whatever the wretched thing will be called now that it has been amalgamated with another equally wretched body whose purpose has never been particularly clearly established in my mind, although I think that I was responsible for some of the legislation that created it.

Leaving that aside, there are mechanisms of control and—on a sensible, all-party basis, one hopes—we must encourage and support them, to create not Toytown but a sane world within which people can be exposed to powerful and even shocking entertainment out of which we take the kind of extreme violence that has no place in our society and that we know is damaging. We do not need some fellow from Essex university to conduct a survey for five years to tell us what is damaging. We know in our own minds that such stuff is not needed.

With respect to those who propose the V-chip, there is no technological answer to the problems that we face. Above all, there is no answer which, in effect, goads people who want some adult entertainment into feeling that they must defend some extreme things to get away from some of the quite impossible arguments that are raised against it. Surely we can reach some kind of common-sense consensus based on the principle that we in this House charge the broadcasting authorities with responsibility and it is up to them to discharge such responsibility and not escape through technology if they do not do so. It is for us to hold them to account for the powerful tool that we have put in their hands.

Dr. John Cunningham: I congratulate the right hon. and learned Member for Putney (Mr. Mellor) on bringing some clarity to the debate. I should say straight away that I sympathise with the aims and objectives of the hon. Members for Ceredigion and Pembroke, North (Mr. Dafis) and for Liverpool, Mossley Hill (Mr. Alton). Parents and, indeed, many people who are not parents, would be generally sympathetic to what they have said about gratuitous violence or explicit sex and its potential impact on young people.

I share the view of the right hon. and learned Member for Putney that to seek a solution in technology is almost amusing. The idea that parents know more than their children about how to use electronic gadgets is—I speak for myself, at least—somewhat amusing. The idea that children would not find which of their friends' parents did not have a V-chip in their television and be off round the corner to watch programmes in their friends' homes should also be borne in mind. Children and young people are extremely ingenious and will find ways around such things, even if the solution is practical.

I am not particularly against the V-chip proposals. If people want to be able to buy such technology, they should have the right to do so and there is no reason why it should not be marketed either as an option in new television sets or to be retro-fitted to existing sets. I am not opposed to that, but when we realise that there are about 36 million television sets in the country it becomes clear that retro-fitting the V-chip would be quite a long job even assuming a significant number of people wanted to do it.

There is also the problem of V-chips in video recorders and the need for them in personal computers. The number of pieces of equipment that, in theory, would need a V-chip to protect young people is colossal. To talk about the V-chip as a permanent solution or even as a readily available solution is to raise false hopes. Such a solution will not happen on anything like the scale that is necessary to have much of an impact.

I agree with another point that the right hon. and learned Member for Putney made. Responsible parents—parents who want to exercise some control and guidance—are the ones who would be most attracted to the V-chip, and the very parents who abdicate parental responsibility and do not exercise it in any way are the least likely to invest in the technology.

Mr. Alton: Although I entirely agree with the right hon. Gentleman's point, does he not accept that he is inviting the House to tilt at the wrong windmills? Nobody is saying that the V-chip is a panacea. All we are arguing for is the right for people to have the technology if they so wish. Does he also accept that all the arguments that he has just advanced could be applied to the United States of America or Canada, where legislators have arrived at conclusions that are different to his.

Dr. Cunningham: Of course it is true that those arguments could be applied on both sides of the debate, but just because the V-chip is being adopted in Canada or the President of the United States of American has decided that it should be introduced in his country does not mean that it will work or deliver the goods. I am saying that it is dangerously misleading to suppose that such an introduction will have a major impact. I agree with the hon. Gentleman to the extent that if people want to be able to buy the technology, and either retro-fit it to existing television sets or buy it in new television sets or videos, there should be nothing to stop that, but I am not sure why we need to legislate, because nothing prevents that from happening now.

That brings me to perhaps a more important point that the hon. Member for Mossley Hill did not spend much time discussing—who will rate the programmes? That will be an enormous bureaucratic exercise. Who will be responsible? Who will pay for it? I may be wrong, and I hope that I am not misreading the hon. Gentleman's intentions, but I understand that he wants to leave it to the broadcasters. Is that correct?

Mr. Alton: The right hon. Gentleman is exactly right. Broadcasters classify programmes at the moment, and that is why there is a watershed at 9 o'clock. Broadcasters must determine whether a programmes is suitable for transmission before and after that time, so no extra work would be involved. The House must take action, because the broadcasters will have to tag material electronically to allow the V-chip to be of use. Even if everyone buys a V-chip, it will be of no use unless we require the broadcasters to tag programmes.

8.30 pm

Dr. Cunningham: Exactly, but who would be responsible for tagging the programmes? The hon. Gentleman suggests that it should be left to the broadcasters, but there would be a natural tendency on their part to put the lowest possible rating on a programme they could get away with to ensure that more people had the opportunity to see it especially where advertising and commercial pressures were involved. The problem with selling these ideas separately is that all programmes must be vetted, tagged or rated before the V-chip can be effective.

Ms Eagle: Does my right hon. Friend know how live programmes could be classified, since nobody knows what will happen on them?

Dr. Cunningham: I suppose my hon. Friend has broadcasts such as that of Prime Minister's Question Time in mind. I do not know the answer to her question, and she has raised an important point.

I am not opposed to people having the technology, but I am doubtful about legislating on the matter and leaving it to the broadcasters. The Bill proposes a new Broadcasting Standards Commission; the Opposition support that proposal strongly. Far from requiring the Secretary of State to produce a White Paper or requiring other organisations to do more research, we should let the new body—which will be responsible for standards and complaints—have a look at the situation. It could then report to the House on what it believed to be the way forward.

Mr. Nigel Spearing (Newham, South): Many hon. Members will agree with my right hon. Friend's remarks about technology, but does he agree that the general concerns in the nation and in the House are that there is too much violence on television, that too much of it is unnecessary and that too much of it is too violent? The Government recently initiated a change from one standards body to another, but it seems not to have done the trick. How can we be reassured by the creation of another body? Is not the recommendation in the new clause at least a move in the right direction?

Dr. Cunningham: I am not saying that research should not be done or that these matters are not important. I am saying that there are other ways in which to deal with them, and I have proposed some.

I am as concerned about censorship as I am about some of the other issues. I do not believe that it will be helpful or beneficial to a better understanding of life or an appreciation of art and culture if people can use technology to block out important parts of plays. The hon. Member for Mossley Hill referred to civil actions in the United States on the basis of films. It seems incredible to me. If film makers are to be the subject of civil litigation, why should that not apply also to books? If people can carry out alleged copycat actions after watching a film, why can they not do so after reading a book? "The Silence of the Lambs" was, after all, a book before it was a film. We are getting into dangerous ground.

The hon. Member for Ceredigion and Pembroke, North referred to Shakespeare. I am a lifelong supporter of Shakespeare, and I watch the Royal Shakespeare Company at every opportunity—particularly its season in Newcastle-upon-Tyne. Are we saying that if Shakespeare's plays are made into films and put on television that people will V-chip the murder of Julius Caesar or the emergence of Coriolanus from the city after he has slaughtered people? Is that what we really want? That is a cause for concern.

If, through the Independent Television Commission and the Broadcasting Complaints Commission, we can take action along the lines that I hope the Secretary of State will announce, we can far more realistically—and, I hope, without raising false hopes—create the climate of opinion necessary to reduce some of the violence that we are talking about.

One of the things that worries me about the proposals relates to the current and agreed 9 o'clock watershed. Critics say that that watershed simply pushes violence on television into the early hours of the morning, but if proper parental control is exercised, children—the people about whom we are most concerned—ought to be in bed by 1 or 2 o'clock in the morning. The fact that they are

[Dr. Cunningham]

not tells us a lot about what is wrong with parental control. There is a real danger that the introduction of such technology will create the excuse—although it may not see it through—for the erosion of the 9 o'clock watershed. People might say that violent films can be broadcast earlier because they can be coded, allowing the V-chip to be used.

Mr. Dafis: The right hon. Gentleman is talking about technology, but he let slip a remark that he thought that something needed to be done about the level of violence on television. Do I take it that he regards the current situation as unsatisfactory?

Dr. Cunningham: Yes. I have said that more than once, and I am happy to confirm that that is my view. I share the concerns of the hon. Gentleman, and those of the hon. Member for Mossley Hill, but I do not share their views on the potential solutions. Above all, I do not want to raise false hopes that, by making technology available, the problems can be solved and will go away.

Sir Timothy Sainsbury (Hove): I sympathise strongly with the objectives of all the new clauses, and there is no doubt that there is widespread sympathy in the country for them. I wish to reinforce the point made by the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) about the difference between television and other media. Television is not only in the home, we do not have to pay anything to watch it. It is not like hiring or buying a video, or going to the cinema—even if that costs as little as nine pence, as the hon. Gentleman said. No transaction is required; we are required only to turn it on. In addition, the number of hours of viewing per day and per week that numerous surveys show to be the average—particularly among the young—make television different. Also, we can video record and replay what we see on television.

It is not only the vulnerable who are at risk from violence, particularly the gratuitous and realistic violence that we see too much of. If such violence is continuous, almost anybody will be affected by it. However, I am far from convinced that any of the new clauses address the problem. A number of reasons why they fall short of meeting that objective have already been expressed, so I shall not repeat them.

I agree with my right hon. and learned Friend the Member for Putney (Mr. Mellor) that prime responsibility rests with broadcasters to moderate the amount and type of violence. Of course, there are important responsibilities for parents, teachers and government. I hope that I will hear from my right hon. Friend the Secretary of State that the Government are concerned, are giving the issue attention, and will continue to do so.

Mrs. Virginia Bottomley: I have rarely heard a new clause introduced in a way with which I felt such strong agreement than when the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) introduced the new clause. His description of the effects of television on children, his concern that that is in many ways uncharted territory, his description of the influence of film in encouraging imitative and mimicking behaviour and his concerns about inuring and desensitising children are all views with which I strongly agree.

8.45 pm

I shall explain to the House why it is not appropriate to support the new clauses, but I hope that I may offer some assurance—in the way that my right hon. Friend the Member for Selby (Mr. Alison) suggested—that these are matters that the Government take extremely seriously, albeit we believe that we have set in place mechanisms, through the regulators and responsibilities on broadcasters, to ensure that there is further action.

I also commend the speech of the hon. Member for Liverpool, Mossley Hill (Mr. Alton), who has consistently ensured that we pay proper attention to the effects of violence on young people. It is impressive that, in a Bill of such complexity, covering many areas, the House has chosen to speak at length on this subject. That in itself is a demonstration of the fact that hon. Members regard it with great importance. It may not be of great concern to the press and others, but we, as Members of Parliament, take it extremely seriously.

I was concerned by the comments of the hon. Member for Mossley Hill about the number of nine to 11-year-olds who have watched material that is quite unsuited to their age. Many would agree with his concern that so many of them have televisions in their own bedrooms, where they are able to watch unattended. Rosalind Miles spoke forcefully the other day about the dangers of children watching television in an isolated way. Children need an adult's interpretation of television. About nine years ago, I chaired a Dicey trust conference on the media and the rule of law. Many people from television, including Will Wyatt and others, were there, as well as Mary Whitehouse. At the time, it was fashionable to sneer at those who were concerned about the effects of violence on the young. Things have now changed substantially. At that stage, my worry was that about one third of children aged between five and eight had televisions in their bedrooms. That figure has now risen substantially.

As is often the case, my right hon. and learned Friend the Member for Putney (Mr. Mellor) and the right hon. Member for Copeland (Dr. Cunningham) challenged the presumption that we could tackle some of the issues in the way that is set out in the new clauses. That is a view that I hold. The only aspect that has not been properly covered is the fact that many people find so much violence frightening, whether or not it influences behaviour—I take the view that if the independent television companies make their money by persuading people that showing advertisements on television influences behaviour, it is extraordinary to say that other television programmes have no influence on their behaviour. Fear of violence is common in our society, although actual levels of violence are low. Anyone who is afraid of violence has that fear exacerbated by the amount of violence that they see on television.

As the right hon. Member for Copeland made clear, the Bill establishes the Broadcasting Standards Commission on an enhanced basis with greater authority. In addition, it will have the power to commission research in many areas, including on violence, which makes new clause 10 unnecessary as it already has that power. The BSC will have strengthened authority because, if the regulators and broadcasters fail to act on its recommendation, it will be required to follow the matter through and ensure that a statement is made saying what happened to the complaint in question.

Only recently, the House debated the new royal charter and agreement for the BBC. Again, that strengthens the authority and clarifies the responsibilities of the BBC's governors, as the regulators. Many hon. Members will commend the remarks of the new chairman, Sir Christopher Bland. When asked recently whether more needed to be done about violence, he said:

"It is an area where all broadcasters need to be permanently vigilant. The burden of proof should lie with the producer who wants to include violence rather than the other way round. There's legitimate public concern."

In years gone by, we would not have had such a strong response from the chairman of the BBC. At present, its producers' guidelines are under review. One of the assurances that I can give the House is that, following today's debate and the strength of feeling and authority with which comments have been made, I intend to have further discussions with the chairmen of the BBC and the ITC, as the regulators, as well as the chairman of the new BSC so that I can be sure that the many points raised today are recognised and given the weight that they deserve.

Mr. Michael Lord (Central Suffolk): My right hon. Friend is sounding a little tougher and I am pleased to hear that. Does she appreciate, however, that members of the public who are watching this debate will probably feel exasperated? Most people now know that there is far too much violence on television and that it is doing a vast amount of damage. They look to this House to do something about it. If we do not accept the new clauses, which may have their faults, the public will expect action that will bite quickly, not long-term reviews, hoping, wishing and supporting. That will not do. Children are being damaged daily and we need much more dynamic action.

Mrs. Bottomley: I appreciate my hon. Friend's comments. Of course, some of the evidence is conflicting. I take a strong interest in the report to which my right hon. Friend the Member for Selby referred on violence, pornography, and the media. Many people of distinction contributed, not least Professor Andrew Sims, the professor of psychiatry at the university of Leeds. The fact that two thirds of the population said that they were concerned about levels of sex and violence shows that we must give that matter careful consideration. At the same time, however, the ITC reports that only 4 per cent. of the complaints that it receives concern violence, so there is a gap between the general perception that there is too much violence and the number of complaints received, which has fallen—it used to be nearly 6 per cent. and now it is down to 4 per cent.

Another piece of evidence that gives ground for encouragement was the research published last summer by Sheffield university, which showed that whereas in 1986 about 1.1 per cent. of material on television contained scenes of violence, it is now down to about 0.61 per cent. Also there has been a change in the public's tolerance. The public have become progressively more concerned.

Professor Philip Graham—formerly a child psychiatrist at Great Ormond Street and now president of the National Children's Bureau—said that although less than 1 per cent. of a football match is made up of goals, which is indeed true, it is the goals that one remembers. Although the amount of violence may be diminishing, none of us should disregard the power of the volume that remains.

Mr. Spearing: I am grateful to the right hon. Lady for giving way because this is a non-party issue. In resisting new clause 7, is she saying that it is the Government's view that the amount of violence, however one measures it, is okay and that there is no statutory requirement for an aim to reduce it? If she is, surely that is a refusal to intervene, as is often the case with the Government, in matters that affect broadcasting as distinct from film, books and other publications.

Mrs. Bottomley: I do not think that new clause 7 is appropriate, because it undermines the authority already provided through the BSC—which has been given strengthened powers and responsibility—and the regulators and broadcasters. The Bill gives the BSC authority to commission research on violence, and I have just reported one of the changes that has been made on the basis of information from Sheffield university. I believe that we need an annual statement on the amount of violence that features on television, and that is precisely what is now happening: the BBC, the ITC and the BSC are ensuring that material is made available annually enabling us to measure the effect year on year.

A number of hon. Members have referred to the watershed, a system adopted by the regulators as a guide to programme content. It is a further and effective means by which parents can make decisions about their children's viewing. I think that hon. Members throughout the House have re-emphasised that it is ultimately the responsibility of parents to ensure that children watch appropriate material.

As has been said time and again in the House, there is no room for complacency, but we should consider the new clauses in detail. I have explained why new clause 7 would undermine the present position; as for new clause 10, my Department is already reviewing the way in which the V-chip might work. We attended a seminar in which Dr. Arthur Pober spoke about the chip. I am sorry that the hon. Member for Mossley Hill could not be present, but I know that he was invited at relatively short notice. I shall visit the United States later in the year, and hope to talk not only to Dr. Pober but to those who are persuaded that they have overcome some of the perceived disadvantages. Indeed, I shall ensure that I talk to those people.

I do not need to rehearse some of the disadvantages that have already been identified by my colleagues—for instance, the danger that parents will have a television with a V-chip downstairs while the children will have one without a V-chip upstairs, and the danger that programme makers will believe that they are discharged from responsibility because a V-chip is in place. Many reservations have been expressed. I believe that they may all be surmountable, but that it would be inappropriate at this stage to make this the subject of primary legislation.

Ms Eagle: Will the Secretary of State answer a question that was asked earlier? If we opted for the V-chip, how would live programmes be classified?

Mrs. Bottomley: That is a good point. The question of classification, which was also raised by the right hon. Member for Copeland (Dr. Cunningham), would cause considerable difficulty.

Mr. Alton: The Secretary of State should kill two points once and for all. First, I cannot think of an instance in which a V-chip would be relevant in the context of a live programme. We are talking primarily about films, many of them part of the Hollywood culture. Secondly, I think that the Secretary of State will accept that classification already takes place. She has just mentioned the watershed; how can we have a watershed unless someone is classifying the material?

Mrs. Bottomley: As the hon. Gentleman will know, viewers are increasingly warned about the likely content of a programme, and responsible broadcasters frequently say that a programme contains material that may be offensive to some. On the other hand, reservations have been expressed by Mary Whitehouse and the National Viewers and Listeners Association in relation to the danger of a perverse effect. Channel 4 tried to identify programmes of a particularly unsavoury character, only to find that the audiences for those programmes increased. I am afraid that the rating identified by the hon. Gentleman can have a perverse effect. I anticipate that, as the years go by, alerting and informing parents and the public will become more widespread, but the point is that it is not appropriate today to require that as a matter of primary legislation.

I hope that the House will feel that the Government take television violence seriously. The responsibility must be shared between regulators, broadcasters, parents and the public in general. I believe that the Bill provides enhanced powers for the safeguarding of standards and the protection of young people. While urging hon. Members not to support the new clauses, I assure them that I will make it my personal responsibility to follow up all the proposals contained in them with those directly responsible—and I am one of those directly responsible.

Mr. Austin Mitchell: It is interesting to note that massive changes affecting the whole structure of television and its ability to sustain quality are being passed in a more or less empty Chamber, but that, as soon as we come to an emotive issue such as violence, the Chamber begins to fill up. As the right hon. and learned Member for Putney (Mr. Mellor) pointed out, it is interesting that it is violence this time rather than sex; but I suppose that we are all tired at the end of a long Session. Chamber rage has built up, and we are turning our attention to violence.

Most of the discussion of violence on television strikes me as irrelevant. Violence is part of life, and therefore it is part of television. The problem, when it comes to public perceptions, is the generalised denunciation of violence—violence in the news, for instance. It is sometimes necessary to show violence in news broadcasts. Had the first day of fighting on the Somme, 80 years ago today, been shown on television—20,000 were killed on that first day—would the British generals and Field Marshal Haig have been able to continue to sustain the deaths of wave upon wave of British youth under the machine guns' ragged rattle for months until the rains started in October or November? It might be necessary to show some violence in such circumstances. As my right hon. Friend the Member for Copeland (Dr. Cunningham) said in his admirably balanced speech, it is sometimes necessary for artistic purposes—in performances of Shakespeare, for instance.

The case becomes enormously emotive and exaggerated, but there is an argument behind it. There is a problem that extends beyond the Chamber. The problem is that violence has become almost a quota of productions—part of a formula that is necessary for the making of a successful second-rate, or third-rate, television programme. The formula involves getting a big-name actor or attractive actress—preferably one who will take her clothes off—and to include a certain element of violence and a car chase. Violence thus becomes built into many of the factory-produced television programmes that we watch, produced by the great production house in California.

That means that the quota can increase, and people can bid higher and include more violence to maximise audiences. Unless we control it, we may end up with casts of thousands tortured, dying or murdered. If that becomes part of a culture—as it has on television—people will be inured to violence. It leads to an acceptance of violence as a natural response. The drip-by-drip conditioning to violence, which is a real danger, produces the kind of concern that we have heard expressed tonight. It is a conditioning process which we should be able to control and stop.

Two basic propositions need to be stated. The first is that we should have the power to decide for ourselves what comes into our houses. If the V-chip did that, it would serve a useful purpose. As part of that power, we should have the information on which to decide. That is what one of the new clauses in this group seeks to provide.

Secondly, we should have the power to penalise violence as a production feature and, therefore, reduce it and cause the producers of routine programmes for television to discount it. On both those grounds, there is a case for the new clauses before us today. I am not enthusiastic about them. New clause 7 is impractical. New clause 10 would not do what the hon. Member for Liverpool, Mossley Hill (Mr. Alton) said that it would. It asks for an inquiry, but if that inquiry produces the verdict that the V-chip is acceptable, all new television sets will include a V-chip. There is no choice in that.

The V-chip is a doubtful piece of equipment. It is almost science fiction. It is a pity that the right hon. Member for North Thanet (Mr. Gale) is not here. He gets hooked on the science fiction of technology so he should be speaking on this matter. I am doubtful. There is general concern. For those reasons, and in the spirit of Blackburn—not as a reservoir dog but as a Straw dog—I am prepared to support the new clause.

New clause 10 merely asks for an inquiry, which we should have. New clause 11 merely asks for the provision of information. I will support them.

9 pm

Mr. Brooke: Contrary to what the hon. Member for Great Grimsby (Mr. Mitchell) said, I believe that the concern of the nation on this subject is such that it reflects well on the House that the Chamber is fuller for this debate than it was for earlier debates. I agree with my right hon. and learned Friend the Member for Putney (Mr. Mellor) that Parliament cannot abdicate responsibility for these matters to researchers, although I would disagree with him if he were to argue that research was not helpful to our understanding of the problem.

I was grateful to my right hon. Friend the Member for Selby (Mr. Alison) for sending me the report from which he quoted. I know that he will forgive me if I say that I found the report somewhat parti pris. My intervention in his speech was partly intended to make sure that the evidence was accurately quoted. I was worried because some of the evidence was somewhat dated. The New Zealand report that he quoted was drawn up in 1976—now 20 years ago. The children in the United States watching scenes of violence on television were studied at least five years ago. The report was written in such as way that one might have thought that Professor Comstock had done that research, although if one looks at the report closely, it is clear that his views are separate.

Like my right hon. and learned Friend the Member for Putney and my right hon. Friend the Secretary of State, I have had some responsibility for these matters myself. I can remember bringing the broadcasters in. I am delighted that the monitors now report some evidence of a reduction in the incidence in violence.

We as a nation are good at spotting precipices and avoiding going over them. The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) quoted Greek tragedy in his scholarly opening speech. It was a convention of Greek tragedy that violence took place off stage and that messengers reported the violent events as part of the drama.

As the exchange between my right hon. Friend the Member for Selby and my right hon. Friend the Secretary of State underlined, common sense sees a link between these events, whatever that link may be. Personally, I hope that I do not take a Panglossian view, but I have confidence in the combined good sense of the nation. The nation clearly has a view on these matters. Broadcasters are just as capable as the rest of mankind of reading the nation's concern and the nation's evidence. It is important that we maintain up-to-date research, but no one in the nation will let us lose sight of the problem.

Ms Eagle: I wish to register a few notes of caution, particularly around the use of the phrase "too much violence on television", and to emphasise some of the problems with the V-chip that many hon. Members have brought to the attention of the House in this extremely important debate.

Every hon. Member is extremely concerned that we should properly debate the issues around violence, and whether violence on television is a cause of more violence in society; and come to some reasonable assessment.

Likewise, we also have a duty to remember that it is easy to blame television violence for the violence in society. There was a great deal of violence before broadcasting began, and there are all kinds of causes of violence. We do our debates no good at all if we try to put all the blame for the violence we see in society on the broadcasting media. It is a bit like blaming witches for crop failures, which used to be a favourite practice in mediaeval times. It was much easier to blame witches for crop failures than to blame the weather or an incompetent farmer.

That fact may explain the difference between the large percentage of public concern quoted by the right hon. Member for Selby (Mr. Alison) from his research and the figures cited by the Secretary of State of the low number of complaints to the Broadcasting Standards Council about violence in television programmes.

How much easier to blame something appalling like the Dunblane tragedy on a television programme or the influence of television violence than to have to look into the nature of humanity and try to search for the reasons for that kind of tragedy within and among ourselves and the society we have created. How much easier to blame television violence than to take some difficult and hard-nosed decisions about the state of our society.

In future, I hope that some important decisions will be made about the banning of handguns, so that we minimise the chance of such a tragedy recurring. It is important that we should not just make a scapegoat of the broadcasting media and try to blame them for all our problems.

New clause 7 refers to

"the aim of reducing the amount of violence depicted on television."

As hon. Members may have been able to gather from some of my earlier questions, the new clause makes no distinction between different kinds of violence or the context in which that violence is portrayed. Surely it is different to depict violence in television news when it is an actual event, albeit portrayed, we hope, responsibly.

The example cited by my hon. Friend the Member for Great Grimsby (Mr. Mitchell) about the Somme was ingenious and thought-provoking. One example much closer to home is the stark photograph from the Vietnam war of the young girl who had been burned by a napalm bomb, running naked down a road. That was one of the most startling images to be reproduced during the Vietnam war, and I believe that it led to much of the agitation that subsequently developed to get that war stopped. We must think carefully about how we portray actual events. We must be sensible about that.

Mr. Alton: I agree with the hon. Lady. Is she aware of the story of Malcom Muggeridge, when he was a broadcaster covering the Biafran war? He was filming an execution that was about to take place when the batteries on the camera ran low. The execution was stopped so that the batteries could be recharged in order to film the execution. Is it not the case that the medium itself often becomes more important than the events going on around us? We must therefore exercise responsibility when we discharge our functions, whether as broadcasters, parents or Government.

Ms Eagle: People should act not only responsibly, but with integrity, and it is up to the journalist to exercise that quality.

Had we not seen some of the shocking scenes of the famine in Ethiopia, we might not have been able to react as we did. We must admit that the broadcasting media are powerful, but we must be much more subtle in our response to their images, especially if they depict real events rather than fictional ones. When we talk about the quantity of violence on television, it is our absolute duty in a democracy to draw that distinction.

The second key distinction is that between fictional violence which is realistic and that which is clearly fantastic. What is its context? Some of it will be more damaging than others. I do not believe that it is acceptable to say that we must stop the portrayal of violence in all circumstances in a film or a play on television. We must take account of that.

New clause 7, which talks about the quantity of violence, makes no distinction between the context in which it is shown or how it is shown. Many people think that the

[Ms Eagle]

"Tom and Jerry" cartoons are appallingly violent, but most children can draw a distinction between cartoon-portrayed violence and the violence in "Rambo III".

Another emotive issue is the depiction of rape. Again, that depends on the context. The depiction of rape in "Straw Dogs" is far more offensive and potentially dangerous because of how was it was depicted than the depiction of rape in "The Accused". We must make some of these distinctions; we cannot talk about quantity in a gross way without appreciating the context in which these scenes are depicted.

We must also draw a distinction between adults and children. Children obviously need protection, especially when they are young; adults less so. New clause 7 takes little account of that. I shall not remind the House of the many valid criticisms of, and questions about, the V-chip's suitability. The main problem is that, even if we could get the V-chip into the 36 million existing television sets, it would give broadcasters a chance to say, "You have that system of classification, so we can produce what we want, and it is up to consumers to decide whether to watch it."

The results of introducing the V-chip on that scale, even if it were possible, would be the reverse of what those who are pushing the idea intend. It would be difficult to argue that it was necessary to have the V-chip and a series of extra systems of censorship. We either let people choose or we try collectively, as we are doing in this country with our very good regulation systems and classification systems, to control the problem as it should be controlled—with the maximum consensus.

We have talked a lot about children. It is incumbent on us, as a national Parliament, to mention the millions of households without children, which may want to have access to adult entertainment of a sort that we would not want children to watch. We must take account of the views and interests of those households.

New clause 11 is much more onerous than the hon. Member for Mossley Hill suggested, because all our deliberations on the Bill have been against the background that we are on the threshold of a massive extension of channels. We shall have 50 or 100 channels in the not too distant future. Is the hon. Gentleman suggesting that all those should be classified, however large their audience, for everything they do, including advertisements and live programmes? I have already mentioned the problems in trying to classify live output.

We must be pretty clear in our minds that the V-chip is not the way forward. We must support the institutions we have introduced, which on the whole do a pretty good job. I do not always agree with every decision by the British Board of Film Classification, but it does a pretty good job, as do all the other institutions that we have created to try to recognise the importance of the broadcasting media and of influencing people, and to establish a reasonable, consensual way through some of those difficult problems.

I oppose all the new clauses, because they add nothing to the institutions as they have developed, but threaten to undermine them.

Sir Patrick Cormack (South Staffordshire): I agree with the hon. Member for Wallasey (Ms Eagle) up to a point, but only up to a point, because in this debate we have failed adequately to confront the problem of violence. With great respect to those who eloquently supported their new clauses, they are only touching the periphery; they are dancing around the edges of a significant social problem.

The hon. Member for Wallasey talks about society and television. Television is a central aspect of our society, and there is a real feeling among many thinking people in this country that, in the past decade or more, we have witnessed the progressive erosion of childhood innocence, largely at the hands of television.

It is pointless to talk at length about books and television. We choose books to buy to read, to take down from the shelves. Television is there in almost every home in the land, is watched indiscriminately in many homes, and does a great deal of damage—for a simple reason. The aim of everyone who utters, as I am seeking to utter now, is to influence. Why do people write books? Why do they write plays? Why do they produce television programmes? The answer is: to influence people.

Shakespeare has been quoted this evening. The difference with him is that, when people go to a Shakespeare play, they are deeply moved, and they come away with a clear message and a clear moral. The difficulty with so much modern television is that it is thoroughly amoral; there is no sense of right or wrong, of good or evil. But there is often a gratuitous depiction of violence and an explicit description of sex. All people—young people particularly—are vulnerable to these messages, and they are manipulated by them.

9.15 pm

The implicit message of this Bill is that television is set to proliferate—the advent of digital, the arrival of more and more channels, and so on. More, in my view, will not mean better, however. It will mean a proliferation of the tawdry—if we are not careful.

I do not for a moment impugn my right hon. Friend's sincerity or motives when she says that she takes these issues seriously—I am sure she does—but she must take them with more seriousness. She said that she would be talking to the new chairman of the BBC and others. I urge her to have them in very soon after we have completed our deliberations on this Bill. She must tell them that, although they are doing their best, it is not good enough. There is too much gratuitous violence on our televisions, and there will be more.

I do not like new clause 7, because it makes the Secretary of State into the grand censor. I believe that censorship is necessary, but that it should be done by the new standards body, the BSC. I want it to behave with a robustness that has been singularly lacking hitherto in those whose duty it is to examine and control. It should not be afraid of controlling.

In a way, there is no worse crime against humanity than the destruction of childhood innocence. It must be stopped. I believe that the depiction of violence in news broadcasting can be a positive good when it shows evil men doing terrible things to others. I remember, as a small child, being in a cinema when the first newsreel of Belsen was shown. My mother's instinctive reaction was to put her hands over my eyes, but my father said, "No, let him see it." I have never forgotten it, just as the young children

who saw the terrible scenes from Bosnia will never forget them. Nor should they. The evil that man can do to man is terrible, and we should know about it.

What we are really discussing today, however, is fictional, gratuitous violence without a moral. The hon. Member for Wallasey talked of the famous photograph from Vietnam, and said that it was very influential. I agree; but why? Because people saw something evil and terrible happening, and reacted against it.

So I accept my right hon. Friend's sincerity of purpose, but I want a greater firmness of purpose. I want her to give an unequivocal message to those with this enormous power over our lives—those who produce and control the production of our programmes. It is the very future of our nation that is in their hands, because they have the chance to ensure that our children see what is good, and know the difference between what is good and what is evil.

Ms Lynne: We are not saying that our new clauses will be the panacea for all ills. It was interesting that not one hon. Member who spoke in the debate said that there was not too much violence on television. We are proposing minor measures—they are small measures. The Secretary of State said that she is looking into research about the V-chip—that is all we are asking for; that is all new clause 10 asks for. We are not saying that the V-chip should be put into all television sets and that everyone has to use it—we are saying that parents should have the choice to use the V-chip or not to use the V-chip.

As far as classification is concerned, the 9 o'clock watershed already exists. The producers already have to classify, so it would not cause a great deal more work. The right hon. and learned Member for Putney (Mr. Mellor) said that he spoke about this 12 years ago. What has happened? We are still seeing violence—the diet of violence is getting worse and worse on our television screens and in films.

Many years ago, when I first started acting, we did not have this sort of violence or this portrayal of violence—the skills and the techniques were not there. As in Shakespeare, a messenger would come on to say that someone had been killed, and there might have been a little bit of violence. We did not have the technical skills that we have today.

The hon. Member for Wallasey (Ms Eagle) referred to live television. Few producers of drama programmes will produce live drama programmes: their joy is in the editing of the programmes—that is where we get gratuitous violence, where we get the cutaway shots, where we see a head come off a body or where we see someone have their arms or legs cut off. That is the sort of gratuitous violence we see on television at the moment.

These measures are not great measures, and we are not saying that they are a panacea. However, they are measures that we want to see accepted in the Bill. There are many other measures—such as those relating to gun licensing—that we can talk about on other Bills at a later stage. Tonight, we are asking hon. Members to vote for these small new clauses. They are a step in the right direction. I ask the Secretary of State whether Government Members will have a free vote on these new clauses—all Opposition Members will have a free vote. I hope that some Government Members will join us in the Lobby tonight.

Mr. Dafis: There is a growing consensus that there is too much violence on television, and that something must be done about it. That view is held in the country, among experts and among Members of Parliament—and I have been impressed by that. Hon. Members have said that there is far too much violence on television and that it is doing a huge amount of damage. Something has to be done.

I will not go into whether we can establish a direct connection between depictions of violence and specific crimes—although I dare say it happens. We have a constant diet of violent scenes—surely it coarsens the grain of society and increases the amount of low-level violence, such as threatening behaviour. I believe that there is also a connection in relation to the most horrific crimes.

The V-chip issue has been carefully and eloquently described, and I am not competent to consider the technical aspects of it. Parents who wish to prevent their unsupervised children from being exposed to pernicious material should have the opportunity to do so—I was glad to hear the hon. Member for Great Grimsby (Mr. Mitchell) accept that principle.

I emphasise that my amendment is modest—it is not a huge imposition. It asks the Secretary of State to draw up a plan to reduce the amount of violence. Surely that can be done without sacrificing the need for realism and the need to depict violence to the extent that is appropriate. We can prevent the depiction of violence in newsreels. We are discussing reducing the quantity of violence that is shown on television—that is of the essence.

I welcome the Secretary of State's acknowledgment of the problem, and I am glad to hear that there will be an annual review, discussions with regulators and so on. Tonight we have an opportunity to put a useful process in motion without causing a huge dislocation of existing provisions, and without creating major difficulties for the Government. That is what the amendments do.

In the process, we shall send a powerful message to the Government—Conservative Members have heard it already—to the broadcasters and to the public. Tonight the Chamber has grappled with a serious problem in society, and the debate has been most impressive. We should take the opportunity to send that welcome message, so I shall press the new clause to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 137, Noes 352.

Division No. 160] **[9.25 pm**

AYES

Adams, Mrs Irene
Alton, David
Ashdown, Rt Hon Paddy
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Beggs, Roy
Benn, Rt Hon Tony
Blunkett, David
Bray, Dr Jeremy
Bruce, Malcolm *(Gordon)*
Byers, Stephen
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Clarke, Eric *(Midlothian)*
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corston, Jean
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Roseanna
Dafis, Cynog

Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Donohoe, Brian H
Eastham, Ken
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hanson, David
Hardy, Peter
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kirkwood, Archy
Lewis, Terry
Litherland, Robert
Livingstone, Ken
McAllion, John
Macdonald, Calum
McKelvey, William
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Oakes, Rt Hon Gordon
O'Hara, Edward
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Radice, Giles
Randall, Stuart
Robinson, Geoffrey *(Co'try NW)*
Rogers, Allan
Ross, William *(E Londonderry)*
Rowlands, Ted
Sheerman, Barry
Shore, Rt Hon Peter
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Straw, Jack
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Trickett, Jon
Tyler, Paul
Wallace, James
Walley, Joan
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Ms Liz Lynne and
Mr. Elfyn Llwyd.

NOES

Abbott, Ms Diane
Ainsworth, Peter *(East Surrey)*
Ainsworth, Robert *(Cov'try NE)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashton, Joe
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Bates, Michael
Batiste, Spencer
Bayley, Hugh
Bellingham, Henry
Bendall, Vivian
Bennett, Andrew F
Beresford, Sir Paul
Bermingham, Gerald
Berry, Roger
Betts, Clive
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clapham, Michael
Clappison, James
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Coffey, Ann
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cran, James
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Quentin *(Stamford)*
Day, Stephen
Denham, John
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eagle, Ms Angela
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Galbraith, Sam
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Gunnell, John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Harman, Ms Harriet
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Henderson, Doug
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hutton, John
Ingram, Adam
Jack, Michael
Jackson, Helen *(Sheff'ld, H)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*

Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Liddell, Mrs Helen
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McFall, John
MacGregor, Rt Hon John
MacKay, Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLeish, Henry
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Maxton, John
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll & Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
O'Brien, William *(Normanton)*
O'Neill, Martin
Oppenheim, Phillip
Orme, Rt Hon Stanley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pendry, Tom
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Primarolo, Dawn
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Sheldon, Rt Hon Robert
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Simpson, Alan
Sims, Sir Roger
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spellar, John
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Strang, Dr. Gavin
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Touhig, Don
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardell, Gareth *(Gower)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim
Young, David *(Bolton SE)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Patrick McLoughlin
and
Mr. Roger Knapman.

Question accordingly negatived.

New clause 10

DUTY OF THE BROADCASTING STANDARDS COMMISSION (BSC) TO CARRY OUT RESEARCH INTO USE OF 'V' CHIP TO REGULATE PORTRAYAL OF VIOLENCE ON TELEVISION

'.—It shall be the duty of the BSC to carry out research into the effects on viewers of the level and frequency of images of violence contained in television programmes and into the feasibility and desirability of requiring the installation in all new television sets of an electronic device designed, subject to an override power, automatically to block the reception of programmes whose violent content falls within a predetermined classification as being unsuitable for viewing by persons under the age of eighteen.'.—[*Mr. Alton.*]

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 112, Noes 376.

Division No. 161] **[9.40 pm**

AYES

Alton, David
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Beggs, Roy
Blunkett, David
Bray, Dr Jeremy
Bruce, Malcolm *(Gordon)*
Byers, Stephen
Callaghan, Jim
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Davidson, Ian
Davies, Chris *(L'Boro & S'worth)*
Davis, Terry *(B'ham, H'dge Hl)*
Dixon, Don
Donohoe, Brian H
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Field, Frank *(Birkenhead)*
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Galloway, George
Garrett, John
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Howarth, Alan *(Strat'rd-on-A)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kennedy, Charles *(Ross C & S)*
Khabra, Piara S
Kirkwood, Archy
Livingstone, Ken
Llwyd, Elfyn
McAllion, John
McFall, John
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*

Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Pearson, Ian
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Randall, Stuart
Rogers, Allan
Rooker, Jeff
Ross, William *(E Londonderry)*
Salmond, Alex
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wareing, Robert N
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Ms Liz Lynne and
Mr. Frank Cook.

NOES

Abbott, Ms Diane
Ainsworth, Peter *(East Surrey)*
Ainsworth, Robert *(Covtry NE)*
Alexander, Richard
Allason, Rupert *(Torbay)*
Allen, Graham
Amess, David
Arbuthnot, James
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashton, Joe
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Bates, Michael
Batiste, Spencer
Bayley, Hugh
Bellingham, Henry
Bendall, Vivian
Benn, Rt Hon Tony
Bennett, Andrew F
Beresford, Sir Paul
Bermingham, Gerald
Berry, Roger
Betts, Clive
Biffen, Rt Hon John
Boateng, Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Bradley, Keith
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clapham, Michael
Clappison, James
Clark, Dr David *(South Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coffey, Ann
Cohen, Harry
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Corbett, Robin
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Day, Stephen
Denham, John
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dowd, Jim
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eagle, Ms Angela
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fatchett, Derek
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Flynn, Paul
Forman, Nigel
Forth, Eric
Foulkes, George
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Galle, Phil
Gapes, Mike
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
George, Bruce
Gerrard, Neil
Gill, Christopher
Gillan, Cheryl
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Graham, Thomas
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Gunnell, John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hogg, Rt Hon Douglas *(G'tham)*
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'ldford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hutton, John
Illsley, Eric
Ingram, Adam
Jack, Michael
Jackson, Helen *(Sheffld, H)*
Jackson, Robert *(Wantage)*
Janner, Greville
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Keen, Alan
Kellett-Bowman, Dame Elaine
Kennedy, Jane *(L'pool Br'dg'n)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lewis, Terry
Liddell, Mrs Helen
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Macdonald, Calum
MacGregor, Rt Hon John
MacKay, Andrew
McKelvey, William
Mackinlay, Andrew
Maclean, Rt Hon David
McLeish, Henry
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madden, Max
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Maxton, John
Mayhew, Rt Hon Sir Patrick
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis

Morris, Rt Hon Alfred *(Wy'nshawe)*
Mudie, George
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oiner, Bill
O'Neill, Martin
Ottaway, Richard
Page, Richard
Paice, James
Parry, Robert
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Pope, Greg
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Radice, Giles
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Roe, Mrs Marion *(Broxbourne)*
Rooney, Terry
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Sir Nicholas
Shaw, David *(Dover)*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Shore, Rt Hon Peter
Simpson, Alan
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Touhig, Don
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Trickett, Jon
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardell, Gareth *(Gower)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Sebastian Coe.

Question accordingly negatived.

New clause 12

ESTABLISHMENT AND ANNUAL REVIEW BY ORDER OF LIST OF PROTECTED SPORTING EVENTS

'.—(1) The Secretary of State shall, within 12 months of the passing of this Act, and thereafter annually, carry out a review of those sporting events listed in accordance with section 91 of this Act.

(2) The Secretary of State shall publish the results of each review carried out under subsection (1) above in such manner as he considers appropriate.

(3) The Secretary of State shall make an order specifying those events to be included in the list for the 12 months following each review under subsection (1).

(4) Subject to subsection (5) below an order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) An order under subsection (3) which has the effect of removing an event from the list may not be made unless a draft of the order has been laid before and approved by a resolution of both Houses of Parliament.'.—*[Dr. John Cunningham.]*

Brought up, and read the First time.

Dr. John Cunningham: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 15—*Powers of the Secretary of State in relation to the sale of television rights*—

'.—(1) If the Secretary of State concludes that the sale of the exclusive rights to televise all or part of any sporting or other event is not in the national interest, he may by order determine that any contract entered into for that purpose shall be void.

(2) An order under subsection (1) above may state, for the purposes of any subsequent contract, which part or parts of that event may be the subject of the sale of exclusive rights as mentioned in subsection (1).

(3) Before making an order under subsection (1) the Secretary of State shall consult the owner of the rights to televise the event, relevant broadcasting organisations and anyone else as he determines.

(4) No order under subsection (1) may be made unless a draft of the order has been laid before and approved by both Houses of Parliament.'.

New schedule 1—*Listed Events*—

.—The list of events mentioned in section 91 of this Act is as follows, namely:—

Association Football

—the F.I.F.A. World Cup Finals (that is to say all stages of the tournament after the qualifying stages)

—the F.A. Cup Final

—the Scottish F. A. Cup Final

Lawn Tennis

—the Wimbledon Finals

The Olympic Games

Horse Racing

—the Derby

—the Grand National

Cricket

—Test Matches played in the United Kingdom

Rugby Union

—matches in the Five Nations Championship involving England, France, Ireland, Scotland and Wales.'.

And the following amendment thereto: (a), at end add—

'—the Welsh Rugby Union Cup Final'.

Amendment No. 1, in clause 91, page 86, line 35, leave out from 'in' to 'subsection' in line 38 and insert—

'the list contained in Schedule (*Listed events*) to this Act.

(2) The Secretary of State may by order made by statutory instrument vary the list of events referred to in subsection (1) above, but no such statutory instrument shall be made unless a draft of it has been approved by a resolution of each House of Parliament.

(2A) The power referred to in subsection (1) above to vary the list of events shall include the power to add an event to, or delete an event from, the list, or to substitute one event for another.

(2B) The Secretary of State shall not exercise the power conferred by'.

Amendment No. 2, in page 86, line 47, after 'list', insert

'contained in Schedule (*Listed events*) to this Act.'.

Amendment No. 3, in page 87, leave out lines 1 to 7.

Amendment No. 129, in page 87, leave out lines 10 to 15.

Amendment No. 4, in page 87, line 14, leave out '(2)' and insert '(2B)'

Amendment No. 5, in page 87, leave out lines 16 to 19.

Amendment No. 130, in clause 93, page 87, line 35, leave out

'the commencement of this section'

and insert '19th March 1996'.

Dr. Cunningham: New clauses 12 and 15 and the associated amendments Nos. 129 and 130 refer to the listed sporting events that were the subject of considerable debate and not a little controversy not only in the other place but across the country after the publication of the Bill. The Government suffered their first defeat on the Bill in Committee in another place on the list of sporting or other events that should not be shown exclusively on pay-per-view or subscription television—in other words, events that should be reserved also for terrestrial television broadcasting.

The Government amendments were tabled at the 11th hour in the House of Lords and rightly came in for great scrutiny in Committee. Our concern now is about the process by which a sport could become listed or could be removed from the list, since we do not take the view that the existing list should remain in its present form for all time. On Second Reading, the Secretary of State claimed to have been pleased that the House of Lords overturned the Government's wishes on the matter. If we accept—as she did then—that these events are of national importance, we must also accept that they should be subject to a national debate on the future merits or demerits of listing them.

New clause 12 would make the list the property of Parliament, and not exclusively that of the Secretary of State. The new clause would impose a duty to review the list annually and to place it in the form of a statutory instrument before the House of Commons. Nothing of that nature happens at present. As the proposal has been controversial—not only here, but among sportsmen and women, broadcasters and fans—many people have argued that the list should have a number of other events added to it immediately. The five nations rugby championship has been suggested—[HON. MEMBERS: "The four nations rugby championship, now."] Perhaps that is right. The Ryder cup golf tournament is another example.

New schedule 1 and its associated amendments in the name of my hon. Friend the Member for Newport, East (Mr. Hughes) would add the five nations tournament to the list, but we have been advised that there is a serious problem with that addition to the list, and with the addition of the five nations championship to the Bill. Indeed, our advice from the Clerks is that this schedule would make the Bill hybrid, thus placing the entire Bill in jeopardy. In many respects, that might be appealing to Opposition Members but, frankly, that is not a road down which we wish to travel. There are far too many important provisions in the Bill that we do not want to be lost, and we cannot support that approach.

New clause 15 gives the Secretary of State the opportunity to intervene in these events. We have argued for some time that the list should be reviewed and that the Secretary of State and Parliament should be allowed to add further events, if that is the decision. Amendments Nos. 129 and 130 would ensure that the full effect of listed status would apply to any event added to the list from the time the Government amendments were added to the Bill. In that way, it would be perfectly feasible for this or any future Government to add an event or events—including the four or five nations rugby championship—to the list.

For that matter, any other event that it is decided should be protected for terrestrial television broadcasting—it may not necessarily be a sporting event—may be added. One thinks of millennium celebrations, or other events over which there could be a clash of interests in deciding whether they should be exclusively broadcast or more generally available. That could be done if it was thought appropriate and practicable, and if the Secretary of State so recommended and the House agreed. That process would also give sports' governing bodies and broadcasters, in addition to the House and hon. Members, sports fans and organisations, the opportunity to contribute to the debate and discussions before any change in the listed events took place. I commend the new clause to the House.

Sir Peter Fry (Wellingborough): I find considerable sympathy with the Opposition new clause because the right hon. Member for Copeland (Dr. Cunningham) mentioned the sport that is dearest to my heart—rugby union football. In the past few weeks, I have discussed the decision of the English Rugby Football Union with a considerable number of rugby players and officials, particularly from the junior clubs.

It being Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Broadcasting Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Brandreth.]*

Question agreed to.

Question again proposed, That the clause be read a Second time.

Sir Peter Fry: There is widespread concern that the recent agreement between the Rugby Football Union and Sky Television not only has endangered the future of the five nations championship but will deprive the majority of people in this country of the opportunity to see home internationals when they are being played, by removing them from their television screens.

I regard that as exceedingly unfortunate after a period when rugby football was more of a minority sport than it is today. It has made great strides in recent years, has attracted many more players, especially youngsters, and has spread across all class barriers. It has had a wider and ever more enthusiastic audience. In effect, the governing body of rugby football says, "We are not too worried

about all the people who want to watch—after all, only a privileged few can get tickets to Twickenham when home internationals are played—but we are concerned about making the maximum amount of money out of a deal with Sky Television."

It was not me who described the august members of the Rugby Football Union as a "collection of old farts". I suggest that a collection of money grabbers would be a more appropriate description today than that by the former England captain. For a sport that was amateur for so long to make such a transformation and do the deal with Mr. Murdoch's empire that it has done is certainly to be deplored, and it is deplored by me and by the vast majority of rugby supporters.

Mr. Lord: My hon. Friend knows that I share his concern about this matter and I agree with every word he has said. Is not the great tragedy the fact that, although the Rugby Football Union says that the money it is getting is for the benefit of the sport as a whole, by turning it into a professional sport, which has meant that every senior club wants £1 million a year just to run the club and pay the players, the RFU has driven the deals with television companies? That is not to the long-term benefit of the sport—particularly that of the junior clubs—but is all to do with money grabbing at the highest possible level.

Sir Peter Fry: That was a good intervention and I agree with my hon. Friend, but I would go further. We have already seen the rift that has developed between the big clubs and the rest of the people who play rugby. I deplore that rift. The inevitable question is, as the Rugby Football Union picks the English team and the big clubs need the union, who is going to play for England in home internationals?

I must make it clear that I do not object to the best players in the sport receiving some remuneration. We have to accept that and move with the times. What I do object to is the Rugby Football Union saying, "Regardless of what anyone thinks, you're going to have to pay £24 a month to whoever it is to see home internationals at the time of the kick-off." That is a form of blackmail to a great many members of the public and it is a blow to the prestige of rugby union football. That is why I have sympathy with the new clauses and amendments.

I do not think that the measures go far enough, however. I would have liked the new schedule tabled by my friend the hon. Member for Newport, East (Mr. Hughes)—I call him my friend because we have paired in the House for many years—to be accepted. For many years, people felt certain that the five nations championship was safe, and that we could not find ourselves in the position in which we find ourselves today. Now, unfortunately, we are being told that it will be difficult to turn the clock back. It is not just a question of whether the championship will be televised; it is a question of whether it will ever be played again after the next season. Like many others, I thought that the august members of the rugby union committee would be able to compromise and find common ground with the other home unions. I was astonished that, following the agreement that was reached, there was a danger that the championship could well end.

I hope that the message that tonight's debate will send is that what has happened is not in the best interests of rugby union football, and that the House wants the championship to continue. If the threat of considerable future inconvenience for any union that does a deal with the television company that will take the sport off the screen causes the rugby unions to compromise and decide that the five nations championship is more important than one individual union in this country, I believe that our debate will have been worth while. I very much hope that my hon. Friend the Minister will be able at least to persuade me not to vote for the new clauses and amendments; at present, I would find it very difficult to vote against them.

Mr. Roy Hughes (Newport, East): It is a pleasure to follow the hon. Member for Wellingborough (Sir P. Fry), some of whose sentiments I echo.

I find the term "listed events" rather too innocuous: I prefer to think of events such as the World cup, the FA cup final, the Scottish cup final, the Derby, the Grand National, test cricket in this country and, of course, Wimbledon as the jewels of sport.

My right hon. Friend the Member for Copeland (Dr. Cunningham) pointed out that, if my new schedule were passed, the Bill would be in danger of becoming a hybrid. Let me emphasise that what we are asking for, as rugby enthusiasts, is parity. We want the five nations championship to continue to be seen by millions of people throughout the country. I note that my hon. Friend the Member for Ceredigion and Pembroke, North (Mr. Dafis) proposes to amend the new schedule to include the Welsh rugby union cup final, and I do not disagree with that.

Dr. John Cunningham: We share my hon. Friend's objectives; that is not the problem. The problem is that, if the new schedule is added to the Bill, we are advised that it will put the whole legislation in jeopardy. If that happened, my hon. Friend would not get what he wanted. Our amendments do what he wants, while retaining the Bill intact. That is why it is advisable to support our amendments and not press the new schedule to a vote.

Mr. Hughes: I cannot for the life of me understand why the five nations championship was not included in the Bill in the other place.

I declare an interest. Two or three years ago, several hon. Members got together and formed an all-party rugby union group. I am not exactly declaring an interest, because there is certainly no financial remuneration in the arrangement, but I have followed the sport closely for the past 50 years.

Rugby union has become very much a national sport. Indeed, it has developed into an international sport. Let us consider some of the issues. The tickets for an international match could normally be sold many times over. Unfortunately, many tickets are still sucked into the black market and sold at exorbitant prices.

It is expensive to go to an international today. According to the official statistics which I was reading only last week, Wales is now just about the most deprived region of the United Kingdom. Therefore, many people such as redundant mineworkers and steelworkers who would normally wish to go to internationals simply cannot afford to go.

Other people—some elderly, some infirm—who have great love for the game feel that going to an international match, with a big crowd, is just too physically exacting.

[Mr. Hughes]

All those categories of people—those who cannot get tickets, those who find internationals too expensive and those who find that they are past going to internationals—watch the match on their television screen in the cosiness of their own parlour. That has been the case up to now.

I have no wish to interfere with the administration of rugby. That is a matter for the responsible officials of the game. However, as Members of Parliament we cannot help but be concerned if our constituents will be deprived of an amenity that they have enjoyed for so long. The so-called highlights of the match two hours afterwards are a very poor substitute for the real thing. Nevertheless, I appreciate the difficulties in which the rugby authorities find themselves, particularly with the advent of professionalism. Personally, I regret the fact that the game has gone that way, but there it is. As the hon. Member for Central Suffolk (Mr. Lord) said, each major club says that it needs £1 million to run its team for just one season.

Of course the rugby unions have to be concerned about the future development of the game. Naturally, therefore, they must consider the moneys coming into it, but they need to consider also what effect Mr. Murdoch might have on the game. How much control would he want to exercise? We have already seen what has happened with rugby league. It has been transferred arbitrarily manner to the summer. I understand that attendances at matches have dropped substantially.

Today, of course, the running of various sports is all to do with sponsorship. We have seen the ridiculous outfits that our cricketers wear on a Sunday. [HON. MEMBERS: "Hear, hear."] How daft they look.

The Broadcasting Bill is seen as a measure that will prevent ordinary people from enjoying the sport that they love. So many families just cannot afford a satellite dish outside their home. One of my constituents, Mr. Ron Stewart of Caldicot, wrote a letter to the *Western Mail* a couple of weeks ago in which he said that an "ordinary Joe", as he called himself, could not afford a satellite dish, but he was still very keen on rugby. Mr. Stewart loves to see the internationals and he is afraid that he will be deprived of that particular pleasure.

I say to the Government and to my right hon. Friend the Member for Copeland (Dr. Cunningham), who speaks for the Opposition, that they must find some way to ensure that ordinary people can still see rugby internationals as they have done in the past. If not, I believe that the changes envisaged will have a detrimental effect on the future of the game, because ordinary people will lose interest in it.

10.15 pm

Sir Hector Monro: I agree very much with the hon. Member for Newport, East (Mr. Hughes), who indirectly moved his amendments to the new clause.

I should declare an interest as one who was a member of the Scottish Rugby Union committee for some 20 years. I therefore know a little about the discussions that have gone on every few years on the renewal of the television franchise. That is why I am particularly disappointed at what the Rugby Football Union has done this year by giving a monopoly to Sky Television. It is no use to say, "Well, that is fine. You can see the highlights or even a recording of the match two hours later". Once one knows the result of a game, half the pleasure of watching it has gone. That is a very poor answer to the attitude of the RFU.

I know that the RFU feels that it is up to it to obtain the most money possible from television to put back into the game. One appreciates that the four home unions have spent huge amounts of money developing their stadiums. We now have fine grounds in the four home countries, and in Paris as well. At the same time, however, the game has had to face a huge increase in the payments to players, and, of course, the cost of seats to the public has gone up dramatically. That makes it all the more important for the man in the street to have the opportunity to see rugby on terrestrial as well as Sky Television.

I am quite a believer in Sky. I enjoy watching golf at the weekends and rugby football from the southern hemisphere and South Africa. That is all good and we have to take our hats off to the Sky producers for the way in which they have enhanced the programmes over the years to an extremely high standard. That still does not remove from the argument the point made so strongly by the hon. Member for Newport, East and my hon. Friend the Member for Wellingborough (Sir P. Fry) that those who pay their television licences—it is a pretty high sum now—are entitled to see some top sport some of the time. Were they to lose live coverage of the entire five nations championship, they would feel seriously disadvantaged.

Most of the governing bodies of the international sports that are on the preferred list accept that and behave extremely competently and fairly to their viewers, and, of course, that is absolutely right. To me it is extremely serious that the RFU is prepared to put the five nations championship at grave risk.

The Scottish Rugby Union, the Welsh Rugby Union—as a result of a decision yesterday—and the Irish RFU are serious. They will not play England in the so-called five nations championship if the Sky Television franchise as proposed by England goes ahead. They will look forward to playing a four nations championship, probably of an extremely high standard, bringing excitement and enjoyment to all concerned but there will not be television broadcasts from Twickenham of England playing against Scotland, Wales or Ireland. That would be a sad loss to everyone in the country.

We must try to persuade the RFU that money is not everything and we must try to find a compromise. It is very sad, when the four home unions and France have been the closest of colleagues for at least 100 years, that one country wishes to opt out and be particularly difficult when it comes to giving the viewers of this country what they want to see, while ploughing a huge amount of money back into the game, whether the money comes from the BBC or elsewhere.

We must try to help the RFU off a hook that it has put itself on, and to get back to running a five nations championship. It is no use England thinking that it can have fun and games playing Italy or Romania in show games at Twickenham and perhaps playing a touring side. We must look at the touring sides too. Those from the southern hemisphere—the three main countries that we wish to see are New Zealand, Australia and South Africa—will need to negotiate television arrangements with the four home unions. If England carries on as it is, it will have great difficulty in reaching a favourable agreement with the other countries. Sadly, we are reaching an impasse.

Putting the five home unions on to the approved or special list is not the way forward. It is far more important that we retain the status quo with a degree of flexibility so that the rugby unions, if they wish, can have part Sky, part terrestrial television for other games in the five home unions. It would be wrong to reduce their opportunity for negotiation by putting them on to the preferred list.

The House should send the RFU at Twickenham a very strong indication that we are especially disappointed at the attitude that England has taken towards the five nations championship, that we know that the other countries are dead serious about not handing over their rights to the five nations championship and that England really should come to the negotiating table, call a meeting as soon as possible and begin negotiations all over again, which will bring an enormous amount of money to all the countries, not only England.

Miss Kate Hoey (Vauxhall): I strongly support new clause 12. I hope that my hon. Friend the Member for Newport, East (Mr. Hughes) will accept the reasoned arguments about his new schedule. If his schedule were on the statute book, Euro 96 would not have been one of the listed events. It is important that we proceed as my right hon. Friend the Member for Copeland (Dr. Cunningham) said.

It is unfortunate that we even have to move and discuss a new clause like this. If the governing bodies of sport took their long-term duty seriously, we should not be in this position. Of course money is important, and of course we want to get more money into sport, but the short-termism of our sports governing bodies, in not worrying about the future of the sport so not encouraging young people to enter it, has meant that more and more of our sport is being changed and manipulated at the will of the people who run television.

I support Sky Television. I welcome what it has done for sport generally, but the balance is beginning to move too much in favour of those who have satellite television at the expense of others who do not but who want to see the jewels of our sporting heritage. The new clause proposes a check on our governing bodies. It will make them sit up and realise that they can no longer act in a vacuum, or assume that what they think is good for sport actually is.

The phrase "the property of Parliament" was used earlier in the debate. I think that sport is the property of the people. As Members of Parliament, we must be able to represent our constituents' point of view. The annual review affords us that opportunity. It is not too much to ask for this compromise. Conservative Members who may feel that we are trying to dictate terms must realise that sport matters enough for Parliament to take it seriously. If we are serious about the future of sport, I see no reason not to support the new clause.

Mr. John Greenway (Ryedale): For the sake of good order I declare my interests as an adviser to Tyne Tees Television and as president of York City football club—not that I want to discuss channel 3 interests or second division football tonight.

The Rugby Football Union has displayed breathtaking timing. The contract that it has signed with BSkyB could not have come at a worse time for the other sporting bodies that are trying to put together a sensible compromise solution to genuinely held concerns about the sale of sporting rights. My right hon. Friend the Member for Dumfries (Sir H. Monro) was right: this is a dispute which the national rugby football unions need to resolve themselves. In any case, what has happened does not make the case for new clauses such as these.

I want to mention the interests of racing, speaking in my capacity as chairman of the all-party racing and bloodstock industries committee. Two of the eight listed events are horse races of international importance—the Derby at Epsom and the Grand National at Aintree. Both race courses are owned by the Racecourse Holdings Trust. With some sadness, it has accepted the amendment carried in another place, believing, however, that it has to some extent closed down its opportunities and undermined the value of the sale to terrestrial channels of both the Derby and the Grand National.

As in this House, so within racing there are differing views. Tonight I could construct a convincing argument for further legislative intervention. It is perhaps more difficult to construct an argument against it—except to say that we cannot for ever expect our sporting bodies and their sports to achieve international success while depriving those sports of the lucrative returns from the sale of television rights.

In the recent Friday debate—more leisurely than this one—we were concerned with where all the money goes. We need to insist, for instance, that the Premiership pushes more money down to the clubs in the lower divisions. Without the second and third divisions, and even the Vauxhall Conference, we will not win Euro 2000 or the World Cup in, say, 10 years' time.

The new clauses propose that the Secretary of State will have the power to increase the list in the future. What does that mean for four-year or five-year agreements? For example, I refer to the five-year agreement between the Derby and Channel 4. What about the other big race festivals, such as Cheltenham, Ascot and the August meeting at York? It will undermine the value of the rights of sale, even to terrestrial television.

Dr. John Cunningham: The Secretary of State has the power to add events to the list now. The amendments circumscribe the power of the Secretary of State—she can do it now on her own, without consultation, without reference to the House of Commons, without consultation with the sporting bodies or the racing organisations. The hon. Member for Ryedale has got the point wrong: we are asking for a consultation process before any changes are made, not arbitrary changes in or out of the list.

10.30 pm

Mr. Greenway: I very much doubt that the Secretary of State has the power now to add an event to the list retrospectively or to do so in a way that would undermine a contract that is already entered into. If that were the case, it would solve the problem of the Rugby Football Union's sale of the five nations championships—all the Secretary of State would have to do is say, "I am adding this to the list, and the contract is null and void". That is not a sensible proposition.

As I have said, all hon. Members have strong views on this issue. I was a member of a delegation of Conservative Members who went to see the Minister in the early part of the discussions—we wanted to find a way through the

[Mr. Greenway]

difficulty. I have found that the more I have looked into this, and the more that I have addressed the vexed issue of unbundling, the more I have come to the conclusion that legislation is not the solution. Despite what I said earlier about the poor timing of the Rugby Football Union, I believe that the national sporting bodies have made a genuine attempt through their voluntary codes.

We have before us a unique situation in which the Central Council of Physical Recreation has taken out a full page advertisement in *The House Magazine* so that hon. Members can see how seriously it views this situation. It is to the credit of the House and the way in which hon. Members on both sides have pursued this issue that it has brought the CCPR, on behalf of all sporting bodies, to the point where, for the first time, they are prepared to put in writing a code of practice and to police it. On balance, that is what the House should support. More legislation is not the solution.

Mr. Menzies Campbell: I do not declare an interest in this matter so much as an obsession. I have had an obsession with sport since I enjoyed the only access available to the 1948 Olympic games—the radio, or the wireless as it was called in those days. Access has a lot to do with the extent to which people become enthusiastic about sport and the extent to which they are persuaded to take up certain sports. I have an interest in a narrow sense in that I am a debenture holder of the Scottish Rugby Union at Murrayfield. That does not always bring pleasure—it occasionally brings a substantial amount of pain.

The powerful speeches of the right hon. Member for Dumfries (Sir H. Monro) and the hon. Member for Newport, East (Mr. Hughes) underline just how extraordinary the decision of the Rugby Football Union is at this time. While it is not the oldest tournament in the world, it is the envy of many other sports, it has lasted a long time, it has given a great deal of pleasure to a large number of spectators and it has ensured the maintenance of the highest standards of proficiency in the sport of rugby football in the northern hemisphere. It seems pretty shortsighted to throw that away in favour of the possibility of a substantial financial return and a large fee paid by one form of television.

Mr. Lord: Does the hon. and learned Gentleman agree that the Rugby Union has put itself in an impossible position? Twelve months ago it did not—at least openly—pay the players anything, but now it is paying players throughout the sport, and especially those from senior clubs, large sums. As a consequence, each senior club wants £1 million a year in order to run its organisation. Did not the Rugby Union create the situation itself by deciding to go professional and, in my view, destroy the game?

Mr. Campbell: The hon. Gentleman and I have had that debate before. I understand his desire to stick to what one might call the Corinthian values of rugby football. However, events in the southern hemisphere proceeded at a pace, there was a recognition of rugby players' commitment to the game and the time that they devoted to it and it was decided that they should be paid. We adhered to the Corinthian code in the northern hemisphere, while in the southern hemisphere substantial sums were being paid to players.

Mr. David Hinchliffe (Wakefield): No we did not.

Mr. Campbell: Things may have been different in parts of the country with which the hon. Gentleman is more familiar than I. However, the degree of commitment necessary from players in the Scottish international XV, who trained five or six days a week and spent weekend after weekend away from home for no financial reward, was such that it was not realistic to expect individuals to continue to make that sort of contribution. I think that professionalism was inevitable—and I speak from my experience in the sport with which I was intimately connected. Eventually the degree of commitment necessary becomes such that one cannot expect people to continue doing it for nothing. That may be regrettable, but they are the circumstances.

Dr. John Cunningham: The reality.

Mr. Campbell: Yes, that is the reality. It seems to me that there is a fundamental question whether we believe that the widest possible range of people should have access to special sporting events. It is correct to say that individual sports wish to maximise their access to resources. However, I want to be satisfied that those resources will be spent in sensible ways—the development for which people argue must be funded properly. The truth is—the hon. Member for Vauxhall (Miss Hoey) is correct—that there is a degree of short-termism in the approach of many sporting bodies that are not willing to think beyond the immediate offer in a particular contract. In many respects, they are not mindful of the sport for which they presently have responsibility and of their obligations to maintain that heritage and to pass it on to succeeding generations.

There is no doubt that for a long time certain sports were inadequately rewarded. The fact that the BBC was the only broadcaster willing to buy sport meant that there was no proper market. In that sense, many sports did not receive a return on their product. However, that should not be a justification for creating circumstances in which a monopoly is ultimately produced through the operation of the market. If a sporting organisation—no doubt it is substantially generous at this stage—has a monopoly, who is to say that it will not exploit that monopoly again in due course?

Sport is the area in which the non-terrestrial broadcasting organisations are able and willing to compete on financial terms. They are not queuing up to make "Pride and Prejudice" or "Sense and Sensibility", or to make detailed documentaries, or to film all of Shakespeare, or to provide access to the finest opera or music. They have chosen sport. Because the non-terrestrial broadcasting organisations can pay substantial sums, they believe that they will be able to take away from the BBC an important part of the service that the BBC offers. Of course, it is inevitable that the BBC will not be able to compete with the sums of money being offered by other organisations and it will have to consider other methods of funding. The BBC may be driven to introduce subscription and, as soon as that happens, the justification for the licence fee funding of broadcasting becomes increasingly difficult to sustain. So although we are anxious about sport and although the individual enthusiasm of hon. Members is reflected in what they say about sport, a longer-term implication lies behind those matters.

I have much sympathy with new clause 12. A period of 12 months is mentioned in subsection (3), and we can argue about whether the period should be one year or three years. But the thrust of the new clause should recommend itself to the House because it will provide a balance between the legitimate right of any sport to capitalise on its television potential and, at the same time, it will maintain the right of virtually universal access that has been part of the sporting heritage and tradition of the United Kingdom.

Sir Alan Haselhurst (Saffron Walden): With your indulgence, Mr. Deputy Speaker, we have had a general debate.

Mr. Deputy Speaker (Mr. Michael Morris): Order. There has been no indulgence from the Chair. Everything has been in order, so far.

Sir Alan Haselhurst: I am relieved, Mr. Deputy Speaker, because my words are therefore unlikely to incur your censure.

The debate has shown the House at its best, because we are united by our concern for sport and for the access of the public to sport. The issue is almost apolitical, and general concern has been expressed by hon. Members on both sides of the House. If any political instincts intrude on my attitude to the subject, they suggest a minimalist approach; I do not approve of new clause 12 because of its over-prescriptive nature.

If I have a bias, it is to believe that the rights to sport belong to the sporting bodies. We might have views about whether the sporting bodies always conduct their affairs in ways of which we approve, but they might think that we do not always conduct ourselves in a way that they would approve as citizens. I am anxious not to go overboard in placing heavy regulations on the sporting bodies. I recognise the great public interest in the subject and we are all concerned that sport should be revived—we have been concerned that there has not been enough participation in it. We want more resources to go into sport, and one of the easiest ways in which that can be done is through the sale of broadcasting rights.

I have a special interest in cricket. I have the honour to be the secretary of the all-party group on cricket, although I do not speak for the group because we all have our individual opinions. I am also a member of the committee of Essex county cricket club, so I can express a view from that direction. I am concerned that the sport of cricket could be severely prejudiced if we hedge it about with too many restrictions. Cricket needs reviving in this country, and we are concerned about the amount of cricket played by young people in school. For the first time recently, cricket has had a glimpse of the amount of money that it might get, and it will be able to use the increased income from the most recent deal on broadcasting rights to the real good of the sport. All the evidence so far is that it wants to use that money sensibly. When it has an opportunity to gain more money through the sale of its broadcasting rights, it would be cruel of us to restrict that.

Much more needs to be done if we are to revive interest in our great national game. We must think carefully about how we restrict the powers of the cricket authorities to sell what they have. In the last agreement that they made, they demonstrated that they understand the wider needs. While it is important to raise income to plough back into the game, it vital to the lifeblood of cricket that the public as a whole should be able to develop their interest and experience the excitement of the sport through hearing and watching, through the electronic media, the game being played at the highest level. There must be a balance between the two.

10.45 pm

I happen to think that the cricket authorities might be the best people to judge how to get the balance right, and I am a little doubtful about whether we should second guess them. I should be satisfied to give the Secretary of State a reserve power in case something goes seriously wrong, but I should like the matter to be played out to see what kind of deals are done.

Ms Eagle: Was the hon. Gentleman entirely happy with the coverage of the recent world cup on terrestrial television?

Sir Alan Haselhurst: The hon. Lady betrays a misunderstanding of the matter. There is no way in which hon. Members can control what an overseas organisation does with the television rights to what it possesses. We could exercise no control over what the Indian and Pakistan boards happened to do with the television rights of the world cup in their countries. It is a common misconception. We accuse the British authorities of letting down viewers in this country because, apparently, we cannot get the rights to live, ball-by-ball coverage on terrestrial television here, but we can have no effect on that. We can simply claim to have some effect on what happens with the game as it is played in this country and how it is presented.

At this stage, we would be wiser to accept the work of the sporting authorities, who are signing up to the code of conduct. I instinctively prefer that approach, rather than being over-prescriptive. If they show that they cannot achieve a balance covering the interests of participants, spectators, viewers and listeners, the Secretary of State should have a residual power to intervene, but I urge the House not to go overboard in trying to tie the hands of the various authorities, as we would live to regret it.

Mr. Maxton: I agree with the hon. Member for Saffron Walden (Sir A. Haselhurst) on one point: we should do as much as we can to encourage people to participate in sport. We have a duty to do so, because evidence shows that exercise is good for individuals' health; and if we improve individuals' health through their participation in sport, we improve the general health of the nation. I presume that we all want that.

Money spent on the development of sport does not, alone, encourage young people to participate in it. Seeing their sporting heroes on television is the major incentive. How many children do we now see on public tennis courts with tennis rackets in their hands because Wimbledon is on television? The whole House has been congratulating the English on how they have run Euro 96. How many kids are now out playing football?

What better case can be made for keeping our major sporting events on terrestrial television than Euro 96? As my hon. Friend the Member for The Wrekin (Mr. Grocott) said in Question Time this afternoon, 25 million people

[Mr. Maxton]

were interested enough in football to watch the England-Germany game last Wednesday. Those figures cannot be matched by cable television or by satellite television. One tenth of that number would have been able to watch Euro 96 if it had been exclusive to satellite. If Euro 96 had been exclusive to satellite, many more people would have gone into pubs to watch it. That would have led to more drinking and thus to more trouble on the streets.

I shall quote briefly from a letter I have received—I am sure that other hon. Members have received it—from Tony Hallett, who is the secretary of what calls itself the Rugby Football Union. That is pretty insulting in itself because it is, of course, the English Rugby Football Union, not the Rugby Football Union. Mr. Hallett says:

"We wish to be free to negotiate on our own behalf the best package for our game."

In the same letter, he claims that the agreement the union has reached with BSkyB will mean

"greater coverage of live rugby union games".

More matches might be shown live, but the audience will be considerably smaller.

Why should we not accept absolutely the argument that the sporting bodies have a right to sell their broadcasting rights where they wish and how they wish? The answer is this: an enormous amount of public money goes into sport. Money goes directly from government through Sports Council grants. Increasingly, money comes from the lottery, with which there is a five-year deal. So far, almost £200 million has gone from the lottery into all sport. Under the five-year deal, the total figure will be almost £1 billion. Does not that give us some right to say how sport should be run and who should be able to see it?

Large amounts come from local government in terms of playing fields given cheaply, changing rooms and coaching. Then there are coaching and sports facilities in schools. All that is public money. There is also an enormous number of people who give their time freely, or who pay subscriptions to play their sport. Surely with all that money going into sport, we as the representatives of the people who watch sport on television have some right to a say in how sport is shown on television. That seems to me to be a fairly straightforward case. That is why I support what my right hon. Friend the Member for Copeland (Dr. Cunningham) said.

There has been great emphasis on the fact that the five nations tournament is likely to disappear as a result of the rugby deal. That is deeply regrettable. The argument is not whether the five nations disappear—I hope that the Scottish Rugby Union, the Welsh Rugby Union, the Irish Rugby Football Union and the French will stand firm and play a four nations tournament rather than try to keep the five nations.

What is more important to rugby is the disappearance of rugby from the television screens of most of our people. Only 15 per cent. of viewers will be able to watch live rugby matches in this country. As the right hon. Member for Dumfries (Sir H. Monro) said, it is live rugby that people want to watch. They want live sport, not highlights or a recording of the event two hours later.

Interest in rugby will decline. Fewer young people will come into the game and the long-term interests of rugby will be damaged as a result of the deal that the English union has done. The only reason that Tony Hallett gives for the deal is that he wants England to be able to compete with the countries from the southern hemisphere, particularly New Zealand and South Africa. That will never happen, because there is one basic difference between rugby in Britain and rugby in New Zealand and South Africa: rugby is our second or third most important sport. Football is our premier sport, whereas in New Zealand and South Africa rugby is the premier sport—the sport that every youngster wants to play. That is why it will always be extremely difficult for the home nations to compete with those countries.

I am appalled that the English Rugby Football Union is prepared to throw away the five nations championship for the doubtful prize of being able to take on New Zealand and South Africa at some future date. It should concentrate on the five nations championship and develop the sport in Britain.

Mr. Gale: May I ask my hon. Friend the Minister briefly to concentrate his mind on amendment No. 130 and to comment on its legality? It seeks to make certain specific provisions retrospective to the Bill's publication on 19 March. Following publication of the Bill, Back-Bench organisations, sporting bodies and other groups made representations to my hon. Friend the Minister for Sport and my right hon. Friend the Secretary of State. On the back of those representations, the Central Council of Physical Recreation put in an enormous amount of hard work with the governing bodies of many sports in an attempt to produce what everyone believed might work—the voluntary code to which my hon. Friend the Member for Ryedale (Mr. Greenway) referred.

The voluntary code was published while we were debating the Bill in Committee. It covered live transmission rights, repeat rights and radio rights and it was hailed as a great achievement. Everyone believed it to be a fair deal for sports, for sporting bodies that needed television and media money, and for spectators. However, before the ink was dry, a deal was struck between BSkyB and the Rugby Football Union. To be fair to BSkyB and to the RFU, that deal, which separates highlights and radio rights from live transmission rights, honoured the letter of the agreement, but that deal was struck in the knowledge that the other four of the five nations championship were already negotiating a deal with the fifth nation—England—to provide coverage for the whole of the five nations championship. In other words, two organisations—BSkyB and the RFU—sought deliberately to drive a coach and horses through the voluntary code. I believe that the RFU has undermined all the work by the CCPR and my hon. Friend the Minister to establish that voluntary code.

We now know that the five nations championship is at risk and could well become the four nations championship. That will deprive an enormous number of tomorrow's rugby players—the young players—of the opportunity to watch the stars of today. They will no longer have the opportunity to see those games live on television. That is important.

It is important to note that only 10 per cent. of the massive fee will go into developing the game. The other 90 per cent. will be used to pay off the mortgage on Twickenham. I do not believe that 10 per cent. is sufficient to pay for the training and development of young players. Is it legally possible to make the Bill retrospective?

Although I do not like retrospective legislation, the deal was struck in the knowledge that the House was debating the Bill and my hon. Friend and the Central Council of Physical Recreation were negotiating a voluntary code. Action was taken to pre-empt those negotiations. Is it legally possible for the House to make that part of the Bill retrospective so that the deal can be overturned?

Mr. Grocott: It is ironic that in the week after Euro 96 we are debating whether major national sporting events should be broadcast on the main television channels that everyone can watch. As my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) said, the semi-finals attracted an audience of around 27 million. That must be close to a record television audience for a sporting event. Had England reached the final, which was played yesterday, there is no doubt that the audience watching would have broken all records for any televised sporting event.

I assume that the Government will oppose the new clause. They have been absolutely intransigent in opposing any attempts by any of us over the years to try to ensure that the major sporting events are shown on the main channels. If—I know that it is a big if—England had won the European championships in front of a huge audience, it would have been in the knowledge that the next European championships could well be available only to an audience of about 2 million people.

11 pm

We know what happens to audiences when events are transferred from terrestrial channels to cable and satellite. Throughout the European championships, we were constantly reminded about the World cup 30 years ago. This is a Department of National Heritage Bill, and we are talking about our national heritage. To those of us who watched that game 30 years ago, England winning the World cup is part of our national heritage—but it would not have been if it had been available only to a tiny minority on a subscription channel. The immortal words, "They think it's all over—it is now," would not even have been remembered; they would certainly not have become part of the country's language.

That loss of heritage applies to many other events too. What would have happened to the interest in athletics if the Coe and Ovett duels of the early 1980s had been available only on a narrowly subscribed channel? Those are the questions that hon. Members should ask themselves before more and more of our major events are lost.

Some of us have been saying these things for years and the Government have basically done nothing. I could cite a great string of events that have already been lost, but I will mention just one or two. The hon. Member for Saffron Walden (Sir A. Haselhurst) talked about the cricket deal. One-day cricket internationals have been lost from terrestrial channels. Although they never attract anything like the viewing figures that football attracts, it is worth looking at what happened to the figures. The last time the one-day internationals in England were available on the terrestrial channels—England against New Zealand in 1994—the audience was 2 million, which I accept is not huge. For the first one-day international match this year, between England and India, shown on satellite, the audience was 170,000. If that is in the long-term interests of cricket, the cricket authorities must have a different view of those interests than common sense dictates.

Those people who say, as the hon. Member for Ryedale (Mr. Greenway) did—the fallacy is frequently quoted in the House—that somehow the sporting authorities would be in dire need of money and would not get the cash without the generosity of Sky Television should be reminded of the most damaging deal which resulted in the loss of a major event from the main channels: the Premier league football deal, which is currently in operation. In that deal—we know that the money offered has gone up dramatically since then—Sky offered £300 million, while ITV offered about £260 million, which is not peanuts; it is not exactly asking the sporting authorities to accept sackcloth and ashes.

The notion that the chairman of the Premier league, who sat down to negotiate the current deal or the one that has most recently been negotiated for an astronomical sum, was thinking of the long-term interests of the sport and the desperate concern that young people should see it is foolish. I do not particularly blame such people for not sharing that interest, because running a football club is not necessarily the most lucrative way to pass one's time. Their interest is in next year's balance sheet. That is why they want the deal with Sky. They are not concerned about the most crucial element of sport—that young people should see it at its best.

Anyone who thinks that the Government can be trusted to secure the national events for the nation has only to look at the record. This matter has been raised repeatedly in the past five years. As recently as last December, Ministers were saying that there was no case whatever for intervening in any way, shape or form to try to protect more events. It was only when they lost the vote in the House of Lords that they had a Damascus road conversion.

It is important that the major sports of our nation are available to the people whom we represent and, my word, there is no doubt about what they are saying. We have a responsibility to them, and to the long-term interests of sport which I am afraid that the sporting authorities are simply not taking into account in the way they should. It is our duty to see that the list is regularly reviewed and, I believe, extended to respond to what the public want.

Mr. Sproat: I will try to speak at no great length. I start by saying that this is certainly a serious issue, but the Labour party's proposals are not the answer. The right hon. Member for Copeland (Dr. Cunningham) explained that new clause 12 would require the Secretary of State to review the list of events in clause 91 within 12 months, and annually thereafter. Following the review, the Secretary of State would be required to present an order in Parliament, specifying events to be listed for the following year. This would be subject to negative resolution, or to affirmative resolution if an event were taken off the previous year's list.

The Government are not convinced that there is any need for an annual review process. The protections envisaged in part IV of the Bill for listed events are intended to apply to a limited list of sporting and other events which have a clear national significance. Occasions when an event should come on to the list—or come off it—are likely to be rare and, on past practice, the contents of the list have tended to be adjusted only every five years or so. Nor do the Government agree that the composition of the list should be subject to a process of parliamentary approval. Current arrangements for the Secretary of State

[Mr. Sproat]

to decide on the contents of the list after consultation with interested bodies—such as the BBC, ITC, S4C and the governing bodies of the sports concerned—maintain the necessary flexibility and allow a fair balance to be struck between the various interests involved.

The process envisaged in the new clause would be cumbersome and bureaucratic, and could be expected to bring continuing turbulence to the make-up of the list and pressures continually to add to it. The list system has worked well and there is a clear system to review it as necessary over time. We are accordingly not persuaded of the case for a new clause requiring an annual review and an order-making process as proposed.

Mr. Maxton: If the ability exists to review the list regularly, did the Government consider putting the five nations championship on the list?

Mr. Sproat: No doubt my right hon. Friend will consider doing so, given what has happened tonight, but she will make up her mind after the House has decided what the process should be.

Mr. Rhodri Morgan (Cardiff, West): Will the Secretary of State give way?

Mr. Sproat: No, I must get on. The right hon. Member for Copeland explained that new clause 15 would enable the Secretary of State to declare void any contract to televise an event that he or she concluded was not in the national interest. That would entail wiping out, at the decree of a Secretary of State, the commercial freedom to strike deals. That is an exceptionally interventionist and draconian measure of virtually unlimited scope with wide-ranging implications for which the Government see no public policy rationale.

I agree with my hon. Friend the Member for Saffron Walden (Sir A. Haselhurst) that if we must make a choice, the people who run the sport concerned—in his case, cricket—must have a better understanding of the game than hon. Members. It is clear that these provisions would introduce major uncertainty in the negotiation of television rights for sporting and other events. I cannot see how a rights holder can be expected to negotiate a contract with a broadcaster if both parties know that there is a possibility that, after they have negotiated a deal, the Secretary of State could declare it void because the Government have decided that what they entered into freely cannot obtain.

The clause is based on an extreme view of the extent to which it is in the national interest to watch certain events on television. It would cause serious damage to a market which, by and large, regulates itself effectively. Adequate and proportionate provisions already exist to protect those events that are of special resonance to this country. If the amendment is pressed to a Division, the Government will certainly oppose it.

Mr. Morgan: Will the Minister answer the question posed by the hon. Member for North Thanet (Mr. Gale)? Since the deal between BSkyB and the RFU was done after it was evident that the House would discuss on Report whether the five nations championship would be added to the list, does he not regard that deal as an attempt to bounce the House into not putting that event on the list? Does he agree that, in the event of anyone attempting to bounce the House into not doing something that it might otherwise have done, the House should respond strongly and exercise its rights accordingly with his support?

Mr. Sproat: I do not. Retrospective legislation is nearly always bad and would certainly be bad in this case. It is up to the House to decide if it wants to do it—as it certainly could—but I would strongly oppose it.

The hon. Member for Newport, East (Mr. Hughes) explained that his amendments Nos. 1 to 5 and the new schedule would enshrine in statute his proposed list of events, which differs in certain ways from the current list. They would make any amendment to the list subject to affirmative order statutory instrument.

As the right hon. Member for Copeland mentioned, one fundamental objection to that is that it would make the Bill hybrid. A second objection is that, in the Government's view, it is wrong to short-circuit the listing process now. The right process is to establish the framework of controls in the Bill and review the list of events subsequently. As I have explained, we are also opposed to a process that would make amendments to the list subject to statutory order.

The right hon. Member for Copeland explained that amendments Nos. 129 and 130 to clauses 91 and 93 would remove the provisions which prevent retrospection. They would make any contract signed after 19 March 1996 subject to the provisions. The Government oppose those amendments on grounds of principle. The intention is to legislate retrospectively so that the five nations championship can be brought within the provisions of part IV of the Bill. My right hon. Friend the Member for Dumfries (Sir H. Monro) rightly said what a lot of people in different parts of the United Kingdom, including England, say about the way that was done, but it is not our right to tell people who own assets what they can or cannot do with them. That is the prime principle on which we stand. Those assets belong to the sports bodies. Whatever we may have as private individuals—*[Interruption.]* Yes, they belong to the sporting bodies and Parliament should not take away the right of those people to decide how they are going to dispose of them

To sort this out, we asked the Central Council of Physical Recreation to come up with a voluntary code that would meet the two prime concerns involved: the need for as many people as possible to see what they want to see on free-to-air television; and the need for the sports bodies, which develop and are responsible for the sport, to own their own assets. We have reached a compromise in the voluntary code, by which the sports bodies make certain that either the full match is on terrestrial television, or—within a short space of time in the case of the RFU deal—it is on free-to-air terrestrial television within two hours of the match being over. That compromise does not please everyone, but it achieves the best of both worlds that both sides can achieve.

The Government will certainly not agree to any amendment that takes away the rights of the sporting bodies to dispose of their assets. The right hon. Member

for Copeland has not made a compelling case for retrospection and the Government reject all his amendments.

Dr. John Cunningham: With the leave of the House, I want to begin by correcting one error in the contribution of the hon. Member for North Thanet (Mr. Gale), who said that 19 March was the date of the publication of the Bill. It was not. It was a much more important date—the date on which the Government added their own amendments in the House of Lords to cover these issues, following the vote there. The English Rugby Football Union did its deal with BSkyB after 19 March. So that deal was done after the Government had expressed their intention—by tabling amendments—of preventing such deals being done.

The Minister said nothing in his reply to deal with that issue. Is he content, or is he just thumbing his nose at his hon. Friends who have asked those important questions about the future of the five nations championship? Does he believe that the way the English Rugby Football Union is going is in the best interests of that championship? He ignored those questions from his right hon. and hon. Friends and he has failed to respond effectively to the debate.

In response to the comments of the hon. Member for Saffron Walden (Sir A. Haselhurst), the hon. Gentleman would do far better to support our amendments. If any sport has a good case for being reviewed on the list of events, it is cricket, including Test matches. If the hon. Gentleman supported our amendment, at least there would be an opportunity for that to be done. I therefore intend to press the motion to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 272, Noes 287.

Division No. 162] **[11.14 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'd, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn

Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Spearing, Nigel
Spellar, John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Hain and
Mr. George Mudie.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*

Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir Jim
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Simon Burns.

Question accordingly negatived.

New clause 13

THE SECONDARY LIST OF EVENTS

'.—(1) The Secretary of State shall draw up and keep under review a list ("the secondary list") of sporting events of national interest other than events listed under section 91 ("secondary listed events") to which the provisions of this section and of section (*Separation of highlights and live coverage of secondary listed events*) are to apply.

(2) Subsections (2) to (5) of section (91) shall apply to the secondary list as they apply to the list drawn up by the Secretary of State under subsection (1) of that section, and any reference in that section to a list of sporting or other events of national interest, shall be construed also as a reference to a list drawn up under this section.

(3) For the purposes of the provisions of this Part relating to the secondary list, television programme services shall be divided into two categories as follows—

(a) services falling within paragraph (a) of section 92(1), and Channel 5;

(b) all television programme services not for the time being falling within paragraph (a) above.'—*[Mr. Pendry.]*

Brought up, and read the First time.

Mr. Pendry: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss also new clause 14—*Separation of highlights and live coverage of secondary listed events*—

'.—(1) A person providing a service falling within either paragraph (3)(a) or (3)(b) of section (*The secondary list of events*) ("the first service") for reception in the United Kingdom or any area in the United Kingdom shall not, without the previous consent of the Commission, include in that service live coverage of the whole or any part of a secondary listed event ("the live coverage") unless—

(a) another person, who is providing a service falling within the other paragraph of subsection (3) of that section ("the second service"), has acquired the right to include in that service televised highlights of that event or part of that event; and

(b) the area of the United Kingdom for which the second service is provided consists of or includes the whole, or substantially the whole, of the area of the United Kingdom for which the first service is provided,

but nothing in this subsection shall be taken to prohibit the person providing the first service from including in that service the whole or any part of a recording of the live coverage.

(2) Subsections (3) and (4) of section 95 shall have effect in relation to subsection (1) of this section as they have effect in relation to subsection (1) of that section.

(3) If the Commission are satisfied that the holder of a licence under Part I of the 1990 Act or of a digital programme licence under Part 1 of this Act has unreasonably failed to comply with subsection (1), they may require him to pay, within a specified period, a financial penalty to the Commission.

(4) The amount of any financial penalty imposed on any person under subsection (3) above shall not exceed the amount produced by multiplying the relevant consideration by the prescribed secondary multiplier.

(5) In subsection (4)—

(a) "the relevant consideration" has the same meaning as in section 96(4)(a); and

(b) "the prescribed secondary multiplier" means such number as the Secretary of state may from time to time by order prescribe,

and any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament

(6) Subsections (6) and (7) of section (96) shall apply to any amount payable to the Commission by virtue of subsection (3) above as they apply to any amount so payable by virtue of subsection (1) or (2) of section (96).

(7) If the Commission are satisfied that a broadcasting body has unreasonably failed to comply with subsection (1) above, they shall make a report to the Secretary of State.

(8) In this section "broadcasting body" has the same meaning as in section (97).

(9) For the purposes of this Part—

(a) "highlights" of live coverage are recorded extracts of that coverage selected from the whole of the coverage by the person to whom the highlights rights are granted, and

(b) references to the right to include highlights of live coverage of the whole or part of a secondary listed event in a television programme service shall be construed as references to the right to include such highlights in that service on each day upon which that event, or part of that event, takes place and within a reasonable time of the conclusion of that event, or that part of that event, on that day.'.

Mr. Pendry: The new clauses relate to what is commonly called unbundling, which was considered in another place when an amendment was proposed by Lord Howell to compel all sports to be covered by unbundling legislation. It was withdrawn because a voluntary code of practice was promised instead.

On Second Reading, my right hon. Friend the Member for Copeland (Dr. Cunningham) made it clear that if we felt that the code was unsatisfactory we would seek to reintroduce amendments on unbundling at this stage.

We have now been able to see the code of practice drawn up by the major sports division of the Central Council of Physical Recreation, and to study it closely. On that committee, there are several vested interests, which would seek to protect their own negotiated settlements with broadcasters, ahead, we would argue, of national interests; but the House has a duty to consider wider issues than the narrow sectional ones of sports governing bodies. We recognise the interests of millions

[Mr. Pendry]

of people who enjoy watching sport on terrestrial television, who increasingly find that pleasure taken away from them.

11.30 pm

Although there are some improvements on the previous draft, the Opposition still have several reservations. That is why we tabled new clauses 13 and 14. They are not intended to undermine the voluntary code—quite the opposite. They are there to support the code and ensure that its provisions on unbundling are enforced. If broadcasters and governing bodies abide by the spirit and wording of the voluntary code, there will be no need to add any events to the secondary list; but there is a reserve power for the Secretary of State if need be.

We did welcome the code's publication and its recognition of the importance of sport to the social life of our country. It is encouraging that governing bodies of sport are coming together to draw up a code of this kind. We should note, however, that they did so following moves by a number of us in this and another place to introduce a statutory code.

On many issues, we have no problem with the code. We warmly welcome its call for moneys earned by the sale of broadcasting rights to be reinvested in the development of sport. There may be arguments about the percentage that should go into that development, which stands at no less than 5 per cent. in the voluntary code, but we should all agree with the general principle. However, we still have several doubts about the code.

First, we are worried that not all major governing bodies have signed up to the code; at the moment, 11 bodies have done so. Secondly, we are worried that there has not been enough dialogue with broadcasters about the code. Initially there was no mention of news access, and that is why we tabled amendments in Committee on that important issue. We are pleased that the Government have accepted that principle by introducing new clause 27.

We have other concerns about what has been left out of the code, and especially about the fact that there is no indication of what will happen to governing bodies if they ignore it. There is no mention of any penalties or methods of enforcement for non-observance. As it is only a voluntary code, the governing bodies could simply ignore whatever penalties were imposed. Ultimately, they have the right to walk away. The code has no teeth and, as the hon. Member for Blackpool, South (Mr. Hawkins) said in Committee,

"a voluntary code is clearly not going to be effective."—[*Official Report, Standing Committee D*, 11 June 1996; c. 554.]

I know that many other Conservative Members share his, and indeed our, view.

In Committee, the Minister called for a balanced approach. The interests of the general public, the overwhelming majority of whom do not have access to subscription services, must be considered, but the genuine interests of the sports must be taken into account.

It should be no surprise to the Minister to learn that I agree with him that a balance needs to be struck. Our point of difference is how we strike that balance. The Minister supports the voluntary code but, as I explained, it has deficiencies. We need a measure that will give adequate protection to all our major sporting events while meeting the reasonable needs of the sports-viewing public. That is precisely what we propose.

I commend these new clauses to the House.

Mr. Sproat: We oppose unbundling and intend to vote against it. The Government considered the issue of unbundling broadcast sports rights with great care and discussed it with all the relevant interests as part of our consultation earlier this year. The Government recognise the special importance of broadcast coverage of sporting events, but this new clause, even if limited in the way that the hon. Member for Stalybridge and Hyde (Mr. Pendry) explained, introduces an entirely new concept, unparalleled in any other aspect of broadcasting here or, to our knowledge, anywhere else in the world. No other product or commodity sold in a competitive market is subject to such a process.

The sports bodies have acted responsibly in agreeing a voluntary code on broadcasting rights. The hon. Member for Stalybridge and Hyde says that he supports it. He cannot support it and then say that he wants to impose a compulsory unbundling.

The Government's provisions on broadcast sport in the Bill are fully in line with the recommendations of the Select Committee. Unbundling is an unwarranted additional step. The ITV Association thinks it preferable that the market should take its course within existing competition rules and does not want unbundling.

The controls proposed by the hon. Gentleman would be complex, uncertain, arbitrary and bureaucratic. They would be subject to uncertainties of definition. Accordingly, I repeat that if the hon. Gentleman wants to carry the matter through to a vote, we will fight him in the Lobby.

Question put, That the clause be read a Second time:—

The House divided: Ayes 251, Noes 286.

Division No. 163] **[11.33 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Brown, N *(N'cle upon Tyne E)*
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna

Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Hara, Edward
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Hain and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by're)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles

Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Gyles Brandreth.

Question accordingly negatived.

New clause 17

BBC PENSIONS

'—(1) The trustees of the BBC Pension Scheme shall refer to the Secretary of State, before such date as he may specify, the division and distribution of the relevant assets which is to be made for the purpose of making a transfer payment to a pension scheme established for their employees by a person or persons specified in a scheme under section 110 of the Act (the specified person); any such division and distribution of those assets and liabilities shall not be made by the trustees except—

(a) with the consent of the Secretary of State, or

(b) in accordance with an order made by the Secretary of State under subsection (2).

(2) Where any such division and distribution is referred to the Secretary of State under subsection (1), he may by order direct that the relevant assets shall be divided and distributed by the trustees in such a manner, and such a time, as is specified in the order; and any provision of—

(a) the pension scheme established by the specified person referred to in subsection (1), or

(b) any enactment relating to occupational pension schemes, including any enactment relating to transfer values,

shall not have effect to the extent that it is inconsistent with the division and distribution of those assets in accordance with any such order.

(3) When making an order under subsection (2) the Secretary of State shall have regard to the interests of all classes of persons who are for the time being beneficiaries under the scheme referred to in subsection (1).

(4) In this clause, "the relevant assets" means the assets held by or on behalf of the trustees and "the trustees" means the trustees of the Scheme referred to in subsection (1).

(5) An order under subsection (2) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Dr. John Cunningham.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 256, Noes 284.

Division No. 164] **[11.47 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret

Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Brown, N *(N'c'tle upon Tyne E)*
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Ms Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jenkins, Brian
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross, C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Hain and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian

Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir Jim
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Dr. Liam Fox and
Mr. Roger Knapman.

Question accordingly negatived.

Further consideration adjourned.—[*Mr. Bates.*]

To be further considered tomorrow.

STATUTORY INSTRUMENTS (PRODUCTION AND SALE) BILL

Ordered,

That, in respect of the Statutory Instruments (Production and Sale) Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—[*Mr. Bates.*]

BUSINESS OF THE HOUSE

Ordered,

That the Speaker shall, notwithstanding Standing Orders Nos. 14B (Proceedings under an Act or on European Community documents) and 15 (Delegated legislation (negative procedure)),—

(1) at the sitting on Monday 8th July, put the Questions on the Motions in the name of Secretary Sir Patrick Mayhew relating to Industrial Tribunals and Employment Rights (Northern Ireland) not later than one and a half hours after the commencement of proceedings on the first such Motion; and

(2) at the sitting on Tuesday 9th July, put the Questions on the Motions in the names of Mr. Secretary Lilley and Mr. Tony Blair relating to Occupational Pension Schemes not later than one and a half hours after the commencement of proceedings on the first such Motion; and

the said Motions may be proceeded with, though opposed, after Ten o'clock.—[*Mr. Bates.*]

PETITION

Inland Revenue (Salisbury)

11.59 pm

Mr. Robert Key (Salisbury): It is now midnight. Exactly 12 hours ago, I received at St. Stephen's Gate the petition that I now present to the House. My constituents object to the proposal to close the tax office in Salisbury. Nobody likes paying tax, but when people do, they require a good local service to taxpayers and employers. Last year, there were 10,000 personal callers at the Salisbury tax office and more than 50,000 telephone calls seeking advice and help.

Wherefore your Petitioners pray that your honourable House will take note of our concern and join us in calling on the Government and the Inland Revenue to maintain current levels of service and to continue to provide a local tax office in Salisbury.

To lie upon the Table.

East London Line

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

12 midnight

Mr. Jim Dowd (Lewisham, West): I am pleased to have the opportunity to raise an issue that is important to us in south-east London. I am also pleased to see the Minister in his place. I am well aware that his duties seem to entail responding to a disproportionate number of Adjournment debates; I do not know whether he receives performance-related pay. That highlights the importance that transport-related issues have for Members throughout the country, and especially in London, where the problems are often at their most acute.

I do not know whether the press reports that the summer will see the Minister finally being able to lay down his onerous burden are accurate. If that does happen, I for one will miss him, and I wish him well in whatever the future may bring.

The ability to travel easily into and through inner London on good public transport is becoming ever more urgent as road traffic grows and as greater priority is given by all political parties to environmental standards. In that regard, the prospects for the development of the east London line offer substantial potential for relatively rapid low-cost and cost-effective improvements to the transport system in south-east London in particular.

The dearth of tube services south of the river, and especially in south-east London, is a matter of historical fact and a continuing source of discontent for those of us who live there. The Minister's constituency, which is at least three times further from this place than my own, has a tube service reaching up to if not beyond the M25, deep into Essex. Yet the entire borough of Lewisham, an inner-London authority, has only two stations in the very north of the borough, at New Cross and New Cross Gate, neither of which is in my constituency. It is the potential of an expansion of services from those stations to which I wish to draw attention this evening.

The east London line has always has been the Cinderella of the London underground—or north London underground, as it could more accurately be described. It seems to have been viewed more as an awkward appendage to the overall system than as an integral part of it. The present position is even worse, because we have no service at all on the east London line. It has been closed since March last year for work to the Brunel tunnel under the Thames and other work associated with the Jubilee line extension.

The people in the area welcome the improvement and upgrading, but we were told that the line would be closed for only seven months. It remains closed, and, for a variety of reasons of which the Minister is well aware, as I have raised the matter with him on numerous occasions—I have a strong impression that his views on the handling of the matter are not very different from my own—the reopening will certainly not be until next summer, probably in August. That is a period getting on for 30 months, as opposed to the original seven.

The Minister will be relieved to know that I do not intend to belabour that aspect of the case. However, I will say that, although the people of south-east London have as much regard for our common architectural heritage as

[Mr. Jim Dowd]

anyone, they place at least as much weight on having comprehensive, safe and reliable transport links as they do on being spectators in an industrial museum. Suffice it to say that it has been an object lesson on how not to run a railway. None the less, looking forward optimistically to the restoration of the service, it is imperative to maximise the benefits of the refurbished river crossing by examining ways of extending services both north and south.

As a lifelong resident of south-east London, I have long felt that the extension of the Bakerloo line from Elephant and Castle through Camberwell, Peckham, Dulwich, Forest Hill and Catford to Bromley and/or Croydon would be the most significant transformation of the public transport system in our part of the capital. However, the plans have been around for many decades, and the immense logistical and financial implications of their numerous permutations effectively pushes any such scheme firmly into the medium if not long term.

It is my firm belief that the development of the east London line services south from New Cross Gate via Forest Hill and Norwood Junction to East Croydon can, by the imaginative use of largely existing Railtrack infrastructure, effect the best and quickest extension of underground services into south-east London.

The east London line extension project has strong regeneration benefits for inner London and represents good value for money within London Transport's business criteria. It could be operational within the lifetime of the next Parliament if priority is given to authorisation and funding. With the creation of the important interchange at Canada Water linking to the millennium site on the Greenwich peninsula, and the opportunities for connection with direct services to Gatwick at East Croydon, the scale of the possible benefits becomes clearly apparent.

Government policies support the extension in principle. The public inquiry into the northern extension to the City and Dalston was held in autumn 1994, and just last week the Minister announced that he was "minded to approve" the project. I welcome that unreservedly.

A cash funding gap is currently forecast for the extension. London Underground is actively pursuing private finance initiative opportunities, but better value for money could be achieved by through running to and from Railtrack lines in south London. Subject to line capacity, it might be possible to provide crossovers on to Railtrack at New Cross Gate as a low-cost and rapid solution.

Final authorisation and contractual arrangements depend on a number of next steps, including the actions that I have just listed, progress with the PFI and an understanding of the funding gap that London Underground might have to cover. There is good support from other interests such as Railtrack, which is researching through-running options.

At present, the line is closed, but when it was last running, it made a small operating loss. It is recognised as an important cross-river public transport service east of Tower Bridge. It serves the boroughs of Tower Hamlets, Southwark and Lewisham; I am pleased to see the hon. Member for Southwark and Bermondsey (Mr. Hughes) in his place. They are all inner-city communities involved in regeneration projects such as those in Bethnal Green and Deptford.

Passenger business doubled in the 10 years to 1994, largely through docklands redevelopment. London Transport has long recognised that the line's revenue potential and the economic benefits for London have been limited by its use simply as a cross-river shuttle, and its policy is to extend the line to serve a larger area, and preferably link with the Railtrack lines north and south of the river.

The Government's transport strategy for London was published in May, and recognises the potential of an extended east London line. It states:

"Some schemes, notably the East Thames Crossings and East London Line, are of particular importance to the achievement . . . of regeneration."

The Government's strategic guidance for London's planning authorities that was also published in May includes the objectives to

"maximise the environmental and economic benefits of serving London's transport needs by public modes in preference to the private car and improve the attractiveness of all forms of public transport to provide a viable alternative to the private car and secure modal shift"

and to

"support new rail infrastructure where justified, both in response to demand and to assist regeneration".

Technical advice is that through main line trains could use an extended east London line, subject to some modifications of the existing line. It was used by British Rail until the 1960s, and the design of the strengthened Brunel tunnel permits use by some national train types.

A through-running study reviewing routing options is due later this year from Railtrack, and the project would be better value for money if through running via a southern extension was introduced at a similar date to the northern extension, although work on the northern extension is much further advanced, as I shall explain. Subject to available line capacity—I recognise that as a constraint, especially with the as yet unclear development of Thameslink 2000—it should be possible to provide the crossover I mentioned for a low-cost and rapid solution for the southern extension.

The southern extension from New Cross via Forest Hill and Norwood junction to East Croydon also has the distinct advantage above all the other southern extension options of not needing any special powers under the Transport and Works Act 1992, or other special powers. Opportunities for through running to increase further passenger traffic would have the benefit of providing through commuter trains between north and south London, serving the City of London at a new station on the site of Bishopsgate goods yard, and linking outer-London centres such as Croydon directly to docklands—Croydon being one of the south-east's major commercial centres outside London.

The east London line projects score well on all calculators of regeneration benefits and London Underground's value-for-money criteria; however, a cash-funding gap is forecast for the northern extension. The schemes accord with the Government's funding priorities as set out in the joint Department of Transport/Government Office for London transport strategy, which was also published in May, which stated as priorities

"new and improved river crossings downstream of Tower Bridge . . . projects which sustain and enhance London's economic position . . . projects which exploit the contributions that private finance can make".

The east London line extensions are listed in the Department of Transport and the Government Office for London's third tranche of schemes after existing and committed projects. The Department of Transport and the Government Office of London have advised that progress and timing of the east London line extensions now depend on securing private finance. London Underground Ltd. launched a major consultation exercise in April to seek views on how the project can best be structured to achieve successful private finance involvement, and is to consult further with train operating companies.

The East London Line Group, which, as the Minister will be aware, is a joint body representing the common interests of all the boroughs along the route, together with local communities, regeneration partnerships and businesses in the areas affected, has a crucial role to play. It has already been active in raising partnership finance and assisting site preparation, which has included Hackney council, London Industrial and Dalston City Partnership securing £2 million from the European regional development fund for refurbishment of the Dalston viaduct. Hackney and Tower Hamlets councils have worked with Railtrack Property and English Partnership to secure the go-ahead for the almost £2 million-worth demolition of Bishopsgate goods yard.

Other crucial elements are required to be put into place to take the schemes forward. With rail privatisation, the rail network in London has a mixed economy for planning and authorisation, ranging from statutory railway regulatory agencies and Government Departments to the public sector, London Underground and its newly enlarged PFI powers, to the private sector Railtrack and other train operating companies. The east London line and its extensions are at the interface between all those different ownerships and responsibilities, and it will require positive support and effort and innovative decisions to take the project forward expeditiously.

The Government need to provide guidance on the scale of any funding gap that may be bridged in recognition of the projects' benefits to London's regeneration and the many London boroughs that have access to the single regeneration budget, transport policies and programmes funding and ERDF money that are not available either to Railtrack or London Underground.

The East London Line Group has offered to work closely with London Underground on marketing the reopened line and seeking better connections with other rail and bus services, although the best marketing tool for a transport service would be that it serves the places where people are and the places they want and need to go. The extension of the east London line falls neatly into that pattern.

The list of necessary next steps show that, with the PFI and main line privatisation, the path towards an extended east London line is not simple. Much needs to be done by others. Railtrack, for example, is helping with assessment of the extensions for through running. Nevertheless, it would greatly assist the project if the Minister could give commitments—not necessarily now, but certainly in the near future—to endorsing the re-marketing of the line on, we hope, its reopening in the summer of next year, and to giving a definite date by which a decision will be made on the northern extension.

That will give confidence and certainty to the private sector—the key to levering in private finance moneys and to the project development process. The Government must agree in principle that the initial east London line extensions should open as a cross-river link in time for the Greenwich millennium exhibition. They must indicate their willingness to consider what core funding may be appropriate as a contribution towards the extensions project once any funding gap has been better defined by London Underground Ltd.

The Minister must facilitate urgent discussions between LUL, Railtrack, the franchising director and the rail regulator on matters of joint and individual interest concerning through running, which must be settled before the tenders are sought. In view of the level of complexity, I ask the Minister to press the Government Office for London to appoint a co-ordinator to ensure that the necessary progress on this matter is made as soon as possible.

This is a complicated issue, requiring effort and commitment by a number of bodies and individuals. Within that context, the southern extension via New Cross Gate and Forest Hill to Croydon offers the most straightforward option, and the benefits that it could bring to large numbers of people in east London—both north and south of the river—will more than justify the exertions involved. The hon. Member for Southwark and Bermondsey has asked for thirty seconds to speak in the debate, and he may be fortunate in seeking catch your eye, Mr. Deputy Speaker.

12.15 am

Mr. Simon Hughes (Southwark and Bermondsey): First, I am grateful to the hon. Member for Lewisham, West (Mr. Dowd) and, on behalf of the neighbouring borough of Southwark, I endorse entirely the case that he made. Secondly, although we have clearly suffered from the long-term closure, there is great expectation about the reopening of the line. Thirdly, all the stations currently on the line serve a vital use. Fourthly, of all the five cross-river underground lines, the east London line has the greatest potential for regenerative advantage at the least cost and with the greatest ease for the citizens of Southwark, and for those citizens of the area where the Minister lives and beyond.

I hope that there can be an amber light now and a green light soon for an east London line extension to follow the succesful Jubilee line extension that was breaking new ground only last week. I hope that the Minister can be positive, and I endorse everything that the hon. Member for Lewisham, West said on behalf of his borough, his constituency and his colleagues in south-east London.

12.16 am

The Minister for Transport in London (Mr. Steve Norris): I congratulate the hon. Member for Lewisham, West on securing this debate, and I am extremely grateful to him for his kind personal remarks. The trouble is that mutual congratulation is a dangerous sport in this place, although I am probably rather more relaxed about it than the hon. Gentleman. But I am extremely grateful to him, not only for having raised the issue tonight, but for all the support that he has given to the east London line through what he rightly said has been a difficult time.

I acknowledge straight away that this has been an extremely unsatisfactory process for constituents, including those of the hon. Member for Southwark and Bermondsey (Mr. Hughes). In the limited time available,

[Mr. Steve Norris]

we do not want to go over that history. However, I confirm that the Greater London Industrial Archaeology Society is working closely with London Underground to make sure that the historical aspects of the tunnel are fully studied, analysed and recorded. The line is expected to be ready to reopen in the summer of next year, and it will reopen in a better shape than ever.

About £75 million is going into the line, bringing real and visible improvements to both the trains and the infrastructure and underpinning the future of the line. As well as the new station at Canada Water—which the hon. Gentleman rightly said will be vital for access to the millennium festival and to the swathe of stations east of the east London line—the stations at Whitechapel, Shadwell, Wapping, Rotherhithe and Surrey Quays are all being renovated and cleaned, and their brickwork is being repointed. There will be a spectacular difference. Those stations are beautiful in their own right. They have some fine industrial archaeology, which might be frustrating on occasions, but which is worth preserving and celebrating. That also means that they will be in good order to survive for the use of future generations, and they will be a lot more attractive.

We are going to improve the trains as part of the big train refurbishment programme. They will be smarter, cleaner and more comfortable. We will be renewing the signalling system, which will make the service a lot more reliable. There will be new train arrival indicators, station closed circuit television, clocks and so forth, and the train radio and tunnel telephone systems are also being replaced.

In addition to the more visible signs of improvement, we are going to renew sections of the track, completely overhauling the pumps and the drainage and installing additional track-side power supplies. So our joint hope is that, when all that transpires in the summer of next year, we will have a first-class system as a lynchpin to the two extensions.

As the hon. Member for Lewisham, West said, the interest is now in looking at the future—in terms both of the northern extension and of the prospects south of the river, which are every bit as exciting as he suggests. First, on the works north of the river, as he says, I have issued a "minded to" letter already for the northern extensions. I think that we have made it clear that, in the event that the work proceeds, it will need to do so as a private finance initiative project.

London Underground is reassured that there is a degree of interest in that project and in taking it forward. None of the three of us here represents that part of London, but we are acutely aware of it. Hackney is, I think, the only borough north of the river that does not have any tube station. There is no doubt that putting a rail facility in from Dalston and Highbury and Islington down into the east London line and accessing the City in that way will be a major improvement. As a lot of the track bed is already in place and the cost of refitting the line will be relatively modest, it seems an opportunity well worth taking.

I am obliged not to express any further opinions on the attractiveness or otherwise of the details of the scheme, because of the quasi-judicial role that my right hon. Friend the Secretary of State is required to exercise. We have initiated the scheme with London Underground, and have always been clear about its advantages for London. As the hon. Gentleman says, it is included in the strategy document. I can make it clear that I think that it will serve a worthwhile purpose.

On the extensions to the south, I agree with the hon. Gentleman that the prospect of the line going from East Croydon through to Canada Water and then north is very exciting. Obviously, the train path issues must be studied with Railtrack—in terms of Thameslink and the other competing services on the line. On other occasions, I have found it frustrating that the limiting factor for a new proposal—I am thinking of the west London line—is not so much the willingness of the rail company to run the service, or of passengers to use it, as the fact that there are limitations on train paths, which are almost insuperable, for technical and safety reasons.

The hon. Gentleman made a good point. We have to ensure that we explore as many of the rolling-stock opportunities as we can. Where it is possible to offer longer through services, I am sure that, the more we are able to stitch in the east London line to services both north and south, the greater benefit there will be—decongestion, opening up the hon. Gentleman's area and, as the hon. Member for Southwark and Bermondsey suggested, perhaps even opening up parts of Camberwell, Peckham, and possibly Denmark Hill and the loop through to Victoria. There are some tremendous possibilities, which are worth exploring.

I have always felt that the east London line was something of a Cinderella. Ironically, unlike the Jubilee line, at more than £2,000 million, the east London line—at what we might describe as £100 million in envelope terms for the extensions—is probably a fairly modest bet, but it is just as important to the areas it will serve. The hon. Gentleman has made his point very well: there is nothing like the density of rail link in this part of south-east London as exists in almost every other quadrant of the city.

The hon. Gentleman asked some specific questions about the future of the line. First, he asked about re-marketing of the line on reopening. He is right: that needs to be treated as a specific exercise. I know that London Underground is very keen to win back substantial custom on the line. To put it bluntly, having invested £75 million in substantial improvements, the one thing it does not want to do is let them go by default. London Underground wants to ensure that the marketing is forceful, and brings home to people just what a good service there is from north to south.

As for the Transport and Works Act order application, I understand that a final decision letter could be issued by the end of this month, or very soon thereafter. I am afraid that I cannot give a more precise date.

The hon. Gentleman asked whether we could give a commitment that the extensions could open as a cross-river link in time for the Greenwich millennium exhibition. I agree that that is a very desirable objective, although we shall have to deal with a number of issues that exist in the real world—not least, affordability and value for money—and obviously the PFI competition will have to run its course. We will have a reopened line through to Canada Water that will facilitate some of the millennium traffic.

The hon. Gentleman is right about the time scale. I think that we are both committed to agitating for the development in order to make it a reality and a success.

As for the funding gap, I look forward to receiving furtehr advice from London Underground on the possibilities for financing of the scheme. LUL has undertaken to come back to me either later this month or early next month on the figures that it is now hearing. I can make no promises at this stage, because I do not yet know what the financing prospects are, but when I talk to London Underground, I shall bear in mind the strong desirability of an effective package.

As for the urgent discussions among London Underground, Railtrack, the Office of Passenger Rail Franchising, the regulator and others, the point has been extremely well made. We have an interface between two different systems, and it may be a question of underground trains running on Railtrack track.

Personally, I have always felt entirely relaxed about the ownership of the new scheme. Whether it is owned by a train operating company, London Underground or a third party seems to me much less important than that the scheme goes ahead. The PFI discussions may well make it obvious who should take on the financing, but I am assured that the process of joint urgent discussion being led by London Underground is now under way. My officials stand ready to help in any way they can in the event that their services are needed.

The hon. Gentleman's points about access to a better public transport system for a huge number of people in the south-east quadrant of London underpin the whole debate. The historic reasons for not building the underground railway south of the river are reasonably well known, certainly to the hon. Gentleman and others with experience of London. We must now plug the gaps, which, as we all know, are large and not inexpensive.

However, together with the Docklands light railway extension, and hopefully, in due course, the Woolwich metro project—which we mentioned in the strategy document—this development will enable us to take much of the traffic off roads in that quadrant and use some of the public transport capacity that is inherent there. At present, there is heavy traffic in the area.

I am grateful to the hon. Gentleman for having raised the issue. This has been a useful exchange, and I thank him again for the supportive and constructive way in which he has dealt with the matter.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Twelve midnight.

House of Commons

Tuesday 2 July 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Local Authority Capital Programmes

1. **Dr. Lynne Jones:** To ask the Secretary of State for the Environment what submissions he has received from the local authority associations concerning councils' capital programmes. [33931]

The Secretary of State for the Environment (Mr. John Gummer): This and other topics are discussed regularly at my meetings with the local authority associations.

Dr. Jones: Does the Secretary of State accept that local authorities, such as Birmingham, need increased—not reduced—capital investment to provide new homes and to renovate existing, but crumbling, schools, homes and the road infrastructure? Will he ensure that the Deputy Prime Minister's commitment to the Association of Metropolitan Authorities last year is honoured and that the private finance initiative is used to generate additional resources rather than to substitute for public borrowing?

Mr. Gummer: The city of Birmingham has gained a considerable amount of money through the single regeneration budget. Birmingham City Pride, as an organisation, has provided the basis for many of the council's claims, and Birmingham will doubtless make an application under capital challenge. The private finance initiative will give many opportunities for Birmingham to operate satisfactorily. The council needs to make its relationships with the private sector even more effective, and that will give a result of which Birmingham can be proud.

Mr. Harry Greenway: Is my right hon. Friend aware of the way in which so many Labour councils misrepresent capital receipts, capital funding and the standard spending assessment? In Ealing, the Labour council is already pretending that it will get £10 million less than it should have in the coming year, even though it cannot possibly have the slightest idea what its position will be. It also pretends that it did not have an increase last year, when it had a very good increase of £5 million. What can my right hon. Friend do to assert the truth when councils misrepresent the situation so badly?

Mr. Gummer: Ealing is one of the worst councils for such statements. I live in Ealing during the week and it is difficult to find much that Ealing council says that has much to do with the truth.

On the question of paying set-aside receipts, it is interesting that the Labour party has not yet admitted that, to do what it wants to do, it would have to take receipts from some boroughs and give them to other boroughs; otherwise, the two most needy boroughs in London, Hackney and Lambeth, would get no money because they have no receipts to apply and, no doubt, the money would come from other boroughs, such as Enfield and Barnet, which were sensible enough under Conservative control to gain receipts. Sensible boroughs' receipts would be taken away, their council taxes would go up, because they would no longer be able to subsidise them from the interest rates, and the money would go to Lambeth and Hackney—the boroughs that wasted the money in the first place.

Mr. Sutcliffe: Local authority capital programmes, especially social service ones, will be affected by last week's decision by the Court of Appeal on social service charges. What help and assistance will the Secretary of State give local authorities whose budgets will be depleted as a result of that ruling?

Mr. Gummer: No doubt local authorities will have to decide how that ruling affects them and the capital effects it will have. Local authorities spend large sums of capital and the opportunities have been enormously increased by the private finance initiative. The problem is that many local authorities fail to use the private finance initiative, even though it is available. For example, Ipswich has failed to use the PFI to build a crematorium and wants to use money from the taxpayer.

Out-of-town Retail Developments

2. **Mr. Gale:** To ask the Secretary of State for the Environment what plans he has to reflect (a) through uniform business rates and (b) otherwise the effect of out-of-town retail developments on high streets and town centre retail businesses. [33933]

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): Where the presence of an out-of-town centre affects the value of town centre shops, this will be fully reflected in rating valuations. We have just issued revised planning policy guidance, PPG6, which will encourage developers of retail and other town centre uses to locate in town centres. We also encourage local authorities to develop town centre management to improve their competitiveness.

Mr. Gale: My hon. Friend is aware that in Northdown road in Cliftonville, formerly one of the south-east's fine shopping centres, there are now 40 empty shops, and there are more in Margate high street. That situation is common across the south-east of England and the coastal towns. Some of those voids are undoubtedly due to out-of-town shopping. Another out-of-town retail development has just been granted planning consent on appeal. Has not the time now come for my hon. Friend to consider whether the 1995 revaluations were hopelessly unrealistic, and should we not be considering a zero increase in business rates for the coming year?

Mr. Jones: Where there is a material change of circumstances, retailers and others can go back to the Valuation Office and have their cases reconsidered; but

my hon. Friend must remember that not only are we restating our principles in PPG6 but we are vigorously carrying that forward into effect.

Mr. Matthew Taylor: Is it not a fact that merely devaluing the rates because a property has been devalued does nothing to compensate shop-holders whose livelihoods may be lost and, more important, does nothing to help the community whose heart is being ripped out by out-of-town developments? Is it not a fact that the latest announcements by out-of-town retailers of further plans for further superstore developments show that the Government's policy to get people back into town centres is failing?

Mr. Jones: Retailers can make as many proposals as they want, but they still have to get through the planning system. My experience during the time I have been doing this job is that it is primarily Labour-controlled and hung councils that ask us to relax our planning approach, admittedly generally in the interests of regeneration, but not necessarily in the interests of the town centres.

Sir John Cope: Is my hon. Friend aware that the existence of out-of-town shopping is not the only reason for giving careful attention to the burden of uniform business rates on small firms, particularly on small retail firms? My hon. Friend should consider it carefully for all sorts of other reasons as well—notably, the system of valuation.

Mr. Jones: The system of valuation has been with us a long time, but that is not to say that it is perfect, and I am happy to consider any suggestions that my right hon. Friend may make for its refinement. My right hon. Friend is right to say that small firms in particular tend to be concerned about the swings that occur between different valuation periods, but the economy has been different at those different points and that has led to changes in the valuations, both in the south-east and, latterly, in outer parts of the country.

Mr. Stevenson: Is not the truth of the matter that the uniform business rate now accounts for a higher proportion of local government expenditure than when the Government imposed the system? If we add to that laissez faire planning policies that have led to more out-of-town shopping centres, has not the small business in inner-town areas suffered a double whammy? Given the seriousness of the situation, is not the Minister's response totally inadequate?

Mr. Jones: The hon. Gentleman should visit Hemel Hempstead in my constituency, where a recent audit of the town centre has shown vigorous and increasing prosperity.

On the uniform business rate, the Government have ensured that the take is limited to the rate of inflation each year. When Labour-controlled councils had control of the business rate locally, they used to rip off businesses every year. If the hon. Gentleman is suggesting that if the Labour party were ever to come to power it would get rid of the uniform business rate, that would mean new taxes with new Labour.

Challenge Funding

3. **Mr. Jacques Arnold:** To ask the Secretary of State for the Environment if he will make a statement about his plans to extend challenge funding. [33934]

Mr. Gummer: We announced on 15 May the Government's decision to proceed with a pilot scheme for the allocation of local authority credit approvals through competitive bidding.

Mr. Arnold: My right hon. Friend will know that there are no greater fans of the Government's challenge fund than the people of Gravesend. For years, we waited for our county and borough councils to bring about urban regeneration and the relief of the ancient area of Old Denton. Now, the Government's challenge fund is bringing together voluntary organisations, companies and the local councils to find a solution in that urban area. So great is that enthusiasm, that Gravesham borough council is putting in a new application for improvements along the riverside, on which I hope my right hon. Friend will look benevolently.

Mr. Gummer: I cannot prejudge what the decision will be, but it is interesting that Labour councils such as Gravesham are beginning to realise that the challenge fund is a way of bringing together need and the ability to meet that need, instead of making decisions according to need. In the past, we wasted a great deal of money by allocating it to areas that were in need, but were unable to use the money effectively. By using the challenge fund, we ensure that they can meet the need, and they do so in partnership with the private sector, voluntary organisations and other agencies. That is the way to regenerate our cities, not the old-fashioned, socialist manner.

Mr. Vaz: Why does the right hon. Gentleman not accept what everyone now realises—that competition, the policy principle at the heart of his regeneration strategy, has been totally discredited? Is it not patently absurd to set towns and cities against each other to compete for diminishing regeneration funds? Will the right hon. Gentleman therefore publish what Labour has requested for the past two years—comprehensive regional statements on which councils can bid for regeneration funds against an understandable, clear and coherent criterion of need?

Mr. Gummer: The hon. Gentleman has already lost the argument. The Environment Select Committee has said that the competitive system, the single regeneration budget, is extremely successful. Labour council leaders around the country tell me that they like the competitive system because it shows them to be successful when they do it well and it shows up their Labour neighbours when they do it badly. The only people who do not like the competitive system are bad Labour councils and those dominated by trade unions who do not want any competition. As usual, the hon. Gentleman is out of date. New Labour not only means a new attitude; it means a new attitude to measures that have been good—that is, to deny them and destroy them.

Sir Irvine Patnick: As my right hon. Friend will be aware, Sheffield city council made two successful bids in city challenge amounting to £74 million. That is to be commended, as it has brought in £140 million from external funding, including £90 million from the private sector. Some of that money will be used to improve property and assist with training and business start-ups. Is it not the way forward? Should not cities such as Sheffield—even Sheffield—be commended?

Mr. Gummer: Oh, yes. My hon. Friend will accept that, when I want to Sheffield, the Labour council leader had no complaints about his success. His only complaints were about the two previous leaders, both of whom sit in the House, who had run Sheffield into the ground so that it now needs urban regeneration. He is still paying the debts left by previous council leaders. He is still paying debts on the backs of the people of Sheffield because such a capital system did not exist.

Pollution

4. **Mr. Win Griffiths:** To ask the Secretary of State for the Environment if he will make a statement about the latest levels of atmospheric pollution and the plans he has to reduce it. [33935]

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): Air quality in the United Kingdom is generally good or very good most of the time. We shall shortly be publishing a consultation draft national air quality strategy.

Mr. Griffiths: Would the Minister like to tell us whether he intends to give local authorities additional powers to act against pollution black spots, and whether there are any proposals for a national approach to deal with pollution problems, which are very severe in some cities and cause real damage to the health of adults and children?

Mr. Clappison: As the hon. Gentleman may know, 80 local authorities in 14 different areas—including some in south Wales—are trialling the duties under the Environment Act 1995. Resources have been made available to assist them and we shall look at the implications of that trial period.

The national air quality strategy to which I referred is a comprehensive strategy for dealing with emissions and will lead to major improvements in air quality, in addition to the improvements that we have already made in reducing lead, sulphur and other harmful emissions under our international commitments.

I appreciate the hon. Gentleman's interest in this matter. It is a shame that there is not more constructive interest from those on the Labour Front Bench. The only emissions that are apparent from the Labour party are internal emissions, particularly from south Wales.

Mr. Evennett: Is my hon. Friend aware that there is growing concern about air quality in my borough of Bexley? When he publishes his draft document, will he include some proposals to deal with the growing problem of air pollution in the London area?

Mr. Clappison: My hon. Friend makes an important point. Local authorities will have powers: local authority air management areas will be established. My hon. Friend will also be interested in the action that we have taken to deal with summertime smog, and in the recent conference of north-west European countries, hosted by my right hon. Friend the Secretary of State, which discussed that international problem. The conference set the aim of reducing it, and if possible eliminating it, by 2005.

Mrs. Helen Jackson: Does the Minister agree with the report published recently by the Environmental Industries Commission, which states that those industries have lost £2 billion because of the Government's failure to regulate? The problem has been exacerbated by the two-year delay in the control of volatile organic compound emissions. Is this not another example of the Government's producing warm green words and absolutely no action?

Mr. Clappison: The hon. Lady completely misunderstands the VOC issue. As she will know, we have entered into a protocol on VOCs under the United Nations Economic Commission for Europe, and we are well on the way to meeting our international commitments—as we are in regard to other emissions. What we are prepared to be judged on is our success in meeting international obligations. When we set targets and agree to obligations, we meet them, and that results in better air quality.

Local Authority Houses

6. **Mr. Skinner:** To ask the Secretary of State for the Environment what, at the latest date for which figures are available, was the number of local authority dwellings. [33937]

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): At the beginning of April 1995, there were 3,565,000 local authority dwellings in England.

Mr. Skinner: Is it not almost unbelievable that, during 1995, local authorities, deprived of money by this Tory Government, were unable to build more than 612 houses in one year? In 1978, which we regarded as a bad year for Labour, 78,000 houses were built. The ratio between the number of houses being built now and the number being built in the years before the Labour Government were kicked out of office is about 80:1. Is it not high time that the Government worked it out? There are millions of bricks in stock; people are lying on the streets and in doorways; builders and construction workers are without jobs. You do not have to be a Pythagoras to solve that theorem—but then this Government are not capable of anything.

Mr. Curry: Let me tell the hon. Gentleman how pleased I am to see him here and in such good voice.

Earlier today, the hon. Gentleman gave notice that he was unstarring his question. I knew that the Labour party intended to discipline dissident Members, and I was rather afraid that the hon. Gentleman had already been liquidated. I am glad that he is back—but he is back with exactly the same attitude that he had nearly 20 years ago,

which is that housing must be built by councils. We have moved on from that old agenda to allowing building by housing associations, giving tenants the right to own their property and letting local authorities transfer property to the private sector.

Three weeks ago, I announced estate challenge results that allowed some of the worst estates to be moved to new landlords, subject to a ballot. Just three weeks later, Durham has already balloted its tenants. Those tenants do not want the hon. Gentleman's old-fashioned style; they want the new policies that give them better opportunities and new hope. The hon. Gentleman will die with the old Labour ship.

Mr. Yeo: In view of the concern expressed by the hon. Member for Bolsover (Mr. Skinner), will my right hon. Friend join me in looking forward to his enthusiastic support for recent proposals from the Ministry of Defence which will ensure that the most effective use is made of the large number of houses that it owns?

Mr. Curry: One can always live in hope, although it must be said that, in the case of the hon. Member for Bolsover (Mr. Skinner), there is not much hope.

The MOD's proposals will produce two important results. First, they will enable empty stock to be brought into productive use; it is a scandal that it has not been already. Secondly, they will allow houses inhabited by service personnel to be brought up to a proper standard, so that those people have the houses that they deserve. That is not the case at present, which is a very good argument for going ahead.

Mr. Raynsford: Will the Minister now recognise that under his Government, the output of new housing for renting has fallen to its lowest level since the end of the second world war? At the same time, the number of homeless people in Britain has doubled since Labour was last in power. When will the Government face their responsibilities and get unemployed building workers back to work building the homes that are needed, letting councils use their capital receipts to finance that building?

Mr. Curry: The hon. Gentleman keeps returning to his old anthem about capital receipts, but it is a myth that that money is doing nothing. Those receipts have been invested and are earning interest. If they were not, council tax bills would go up.

The hon. Gentleman is at pains to say, "No spending commitments." Even in the most informal setting, one could not prise a spending commitment out of him with forceps. If that money were put into house building, it would be bound to affect the public sector borrowing requirement, and other expenditure by local authorities would have to be pruned if public expenditure were not to rise. The hon. Gentleman must answer that question.

Like the hon. Member for Bolsover, with whom I doubt he would want to compare himself, the hon. Gentleman still represents the old municipal side of Labour. We and the agenda have moved on from that, and we are moving tenants with us to much greater opportunities. They will not want the hon. Gentleman's remedies thrust down their throats.

Mr. Dunn: In the context of local authority dwellings, does my right hon. Friend agree that there are thousands of empty properties in housing black spots such as Lambeth, Lewisham and Liverpool which are not well administered by local authorities? Is this not the question that we should be asking: "Why do these black spots exist and which party has created them"?

Mr. Curry: My hon. Friend is absolutely right. The essential skills of a local authority are to fill voids and collect rents. When it does not do that, people are deprived of homes and the borough is deprived of revenue for its services. There are 600,000 to 800,000 empty properties around the country and they must be brought back into use. It would be more sensible to do that than to have them lying idle. Some of them are in the private sector, but too many are still in the public sector and need to be utilised.

Local Authority Capital Programmes

7. **Mr. Hanson:** To ask the Secretary of State for the Environment what contribution he estimates the private finance initiative will make to the capital programme of local authorities. [33938]

Mr. Robert B. Jones: The private finance initiative offers potential for significant additions to local authority capital investment in the coming years. That is why my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration announced on 21 May substantial changes to the local government capital finance regulations to facilitate the further development of the private finance initiative.

Mr. Hanson: Does the Minister accept that, in the absence of proper local capital spending programmes by central and local government, the private finance initiative is becoming increasingly attractive to many local authorities? Does he also accept that the 32 regulations are red tape that needs to be removed and that we need clear, open guidance for local authorities so that the backlog on the private finance initiative is made available? In future, local authorities must have a clearer idea of what the private finance initiative means.

Mr. Jones: I am glad that the hon. Gentleman welcomes the private finance initiative, and I hope that he will get that message across to some of his hon. Friends who still seem hostile to the idea of involving private sector capital.

Of course we want to make sure that there is no red tape. That is why my right hon. Friend has had three different tranches of measures to strip away the bureaucracy. We are prepared to look at any suggestions by local authorities about other areas that are worthy of examination.

Of course bureaucracy is a problem not just on the regulatory side. We have to ensure that local authorities, as clients, do not have fussy contract documents or overlong tender lists or other measures that would block a good package.

Ms Armstrong: The Minister's staggering complacency is almost beyond words. Has he not noticed that, in the past few weeks, the confidence of the private sector has virtually collapsed? The legal decision added to the regulatory regime have prompted it to say, certainly to us, that it has no confidence in the ability of the private finance initiative further to push capital development by local authorities. Will the hon. Gentleman therefore quickly review the position, because the construction industry and, more important, the public are suffering enormous losses as the necessary capital investment is simply not being made?

Mr. Jones: What we have witnessed is the staggering ignorance of the hon. Lady. If she talked to individual construction companies throughout the country that are involved in submitting projects and having them assessed, or met the construction industry on a national basis, as I do, she would know that they are enthusiastic about this and view it as the way forward.

Construction Industry

8. **Mr. Nicholas Winterton:** To ask the Secretary of State for the Environment if he will make a statement on the condition of the construction industry with particular reference to the house building sector. [33940]

Mr. Gummer: There is evidence of increasing activity in the housing market as the effects of our sound economic management work through to improve consumer confidence. We look forward to a continuing recovery this year.

Mr. Winterton: I congratulate my right hon. Friend on his excellent and far-sighted speech to the Royal Town Planning Institute, and on highlighting the need to build more houses to meet the growth in household numbers, but is he aware that his wise words are falling on deaf ears, with county councils from Devon to Oxfordshire and from Hampshire to Cheshire ignoring the housing numbers required in regional guidance? Will he assure me that he will advise those county councils seeking to pass the housing buck that he will ensure that housing numbers in the structure plans are properly adhered to?

Mr. Gummer: I am sure that the House would want to congratulate my hon. Friend on his chairmanship of the Manufacturing and Construction Industries Alliance Ltd., which has been expressing these views. I am especially concerned that we use all the land that has already been used to rebuild in the centres of our cities. I am still concerned about many local authorities that are not prepared to put together the land and to create opportunities for private builders, to build in those circumstances. I am insisting that the amount of land that needs to be released because of the figures shall be so released.

Mr. Dobson: The Secretary of State said in his speech, to which reference has been made, that the Government were estimating that an extra 4.4 million homes would be needed just to meet the needs of new households in the next 20 years, and that that excludes the 1.5 million homes that need to be done up because they are unfit for human habitation. Is it not the case that we are building only 137,000 homes a year, which means that, at the present rate, the Government will fall 1.5 million homes short of their target? Would it not be a better idea if, instead of calling for national debates, the right hon. Gentleman got on with getting some houses built now, rather than talking about the far blue yonder, when he will not be in power because new Labour will be in new government?

Mr. Gummer: I had to give the hon. Gentleman an opportunity for the debate, because he has already contributed to both sides of it. First, he told the Union of Construction Allied Trades and Technicians that not enough houses were being built.

Mr. Dobson: Liar.

Mr. Gummer: Then the hon. Gentleman told the Council for the Protection of Rural England that he would not build as many houses. *[Interruption.]* Oh yes.

Mr. Dobson: Liar.

Mr. Gummer: I will quote the hon. Gentleman's words in case he forgets them:

"we are looking at . . . shifting . . . from the present presumption in favour of development . . . 4.4 million households is a major threat to rural England."

That is the opposite of what he said only a few days before. His speech to the CPRE was a disaster. It knows that the only defenders of rural England are Conservative Members, that the only people who protect the green belt are Conservative Members, and that new Labour means a new threat for the countryside of Britain.

Mr. Harry Greenway: On a point of order, Madam Speaker.

Madam Speaker: I do not take points of order until after questions.

Mr. Greenway *rose—[Interruption.]*

Madam Speaker: Order. How can I hear what the hon. Gentleman is saying with everyone bawling and shouting? Do shut up until Mr. Greenway has said what he wants to say.

Mr. Greenway: I distinctly heard the Labour party spokesman use the unparliamentary term "liar" at least five times. Is that in order?

Madam Speaker: Is that the case?

Mr. Dobson: I did use that word and I withdraw it.

Madam Speaker: I am obliged. The hon. Gentleman admits to using the word and it has now been withdrawn. Who was I about to call? I want somebody who can put a direct question. I call Mr. Coombs.

Mr. Anthony Coombs: Will my right hon. Friend confirm that recent surveys by the Council of Mortgage Lenders and the Royal Institute of Chartered Surveyors show a significant improvement in sentiment in the housing market and considerably improved activity? Is

that not the result of sustained low interest rates? Is it not a bit rich for the Labour party, in the form of its shadow spokesman, to talk about improving consumer confidence when the last time the Labour party was in government there was an average rate of interest—

Madam Speaker: Order. I remind the hon. Gentleman, although he should not need reminding, that Ministers of the Crown are responsible for their policies. They are accountable to the House not for anybody else's policies, but for their own actions. Let us now see if we can find a decent question somewhere. I call Mr. Tony Banks.

County Hall, London

9. **Mr. Tony Banks:** To ask the Secretary of State for the Environment what applications under the Convention on International Trade in Endangered Species regulations have been made in respect of an aquarium in county hall, London SE1. [33941]

Mr. Clappison: None.

Madam Speaker: That is a good answer.

Mr. Banks: You may think so, Madam Speaker, but it is a terrible answer.

Madam Speaker: At least it is a straightforward answer.

Mr. Banks: Unfortunately, it is not a helpful one, as an aquarium is due to open at county hall and it would appear that the Shirayama corporation, which is to run the aquarium, has not yet sought permission from the Department of the Environment for the species that it intends to import. Will the Minister check what species the organisers intend to put into the aquarium? It is not at all acceptable in terms of animal welfare. In view of what the Japanese are doing in the Antarctic—killing minke whales under the guise of scientific whaling in order to eat them—will the Minister check that they will not use the aquarium in county hall to bring in dolphins so that they can serve whale meat in the restaurants?

Mr. Clappison: I can help the hon. Gentleman. I understand that the organisation has applied under the Zoo Licensing Act 1981. Notwithstanding the building's former use, apparently such an application is required. I should have thought that the hon. Gentleman's hon. Friend the Member for Brent, East (Mr. Livingstone) would approve of the use of county hall as an aquarium. I cannot say whether there will be any newts in the aquarium, but it will definitely contain dog-faced puffers, tomato clown fish and red-bellied piranhas, among others. I understand that no application is required under CITES. I know that the hon. Member for Newham, North-West (Mr. Banks) is an expert on endangered species, and also something of an authority on endangered species within the Labour party—Members who speak their mind.

Mr. Bernard Jenkin: Does my hon. Friend recall a time when certain unattractive species used to inhabit county hall? Can he give an undertaking that those dangerous and expensive species, who promised to spend a great deal of money to no good effect, will never be allowed back into county hall?

Mr. Clappison: Thankfully, that species is becoming endangered and will become even more so when the public hear of the plans to create unnecessary bureaucracy and waste in London with organisations which duplicate work being done by others, all of which will result in substantial expense for London taxpayers—a new form of danger from new Labour.

Millennium Exhibition

10. **Sir Michael Neubert:** To ask the Secretary of State for the Environment what plans he has to enhance the riverside amenities in the vicinity of the north Greenwich peninsula in preparation for the holding of the millennium exhibition there. [33942]

Mr. Gummer: We shall ensure that the Greenwich peninsula is properly reorganised and redeveloped in a manner that will be not only important for the millennium exhibition but valuable to the citizens of London for the rest of the century. If my hon. Friend has any supplementary questions, I shall be happy to answer them.

Sir Michael Neubert: Does my right hon. Friend accept that it is important that the millennium exhibition should not introspectively gaze only at its navel but should look outwards to the river, that great but greatly underused natural highway which flows through our capital and around the north Greenwich peninsula? Impressive though the Jubilee line extension will be when it is completed, should we not give every encouragement to those wishing to experience an approach to the exhibition from the water, as was the case with the festival of Britain, when more than 5 million people took to the Thames for their transport?

Mr. Gummer: The Thames should be used as one of the accesses to the millennium exhibition. It is also important that we improve that area of London, which has been particularly damaged by successive Labour councils in the borough of Greenwich, where the development has not been helped. I hope that the effect of the single regeneration budget, which is certainly one of the ways in which to help that development, will enable other sources to be tapped. The river is crucial to the overall development of an area which, sadly, has been neglected for many years.

Mr. Spearing: Is the Secretary of State aware that immediately to the north of the chosen millennium site at Greenwich are two sites available in the London borough of Newham? As he knows, the first is within 500 yd of the millennium site and is the two and a half miles of the royal docks. It has great potential for development, including a national exhibition centre. Secondly, within a mile to the north, the lower Lea valley could add to the millennium celebrations 100 acres of land for which the Government have so far failed to provide a reasonable and imaginative scheme, as we should all like.

Mr. Gummer: Much as I respect the hon. Gentleman, who has made a great contribution, I wonder how he can celebrate all the work that has been done by the London Docklands development corporation in view of the extent to which he and his fellow socialists attacked it and said that it was unacceptable. The LDDC has done more for London's development than any other organisation, perhaps for a century. I merely hope that when it winds down and hands on many of its responsibilities to the boroughs, the hon. Gentleman will ensure that those boroughs do half as good a job as the LDDC has done.

Eutrophication

11. **Mr. Dalyell:** To ask the Secretary of State for the Environment, pursuant to his answer in European Standing Committee A on 12 June at columns 4-6, if he will make a statement on measures to counter eutrophication and algal bloom. [33943]

Mr. Clappison: Phosphorus removal is being installed at 41 sewage treatment works discharging into 29 designated eutrophic sensitive areas in England and Wales as part of our implementation of the urban waste water treatment directive.

Mr. Dalyell: What is being done to lessen the environmental and ecological havoc caused by phosphate and nitrogen from fertiliser going into rivers and streams?

Mr. Clappison: The hon. Gentleman raises a very serious point. He will be aware of the experiences of other parts of Europe, including Germany, with the effects of algal blooms and black spots caused by the types of problems that he has described. Because of those experiences, we are monitoring eutrophic effects in inland waters and in coastal areas. Knowing of the hon. Gentleman's keen interest in this matter, I will keep him informed of the results of that monitoring.

Asbestos

12. **Mr. Cohen:** To ask the Secretary of State for the Environment if he will provide additional resources to local authorities and housing associations to deal with properties in their possession which contain asbestos. [33945]

Mr. Curry: It is for local authorities to decide how they allocate their resources.

Mr. Cohen: My borough of Waltham Forest has suffered enormous housing investment cuts and borrowing restrictions. There is a severe maintenance backlog for council tenants and severe delays for those waiting for improvement grants. Now that asbestos has been found in some tower blocks, the safety of those tenants must come first, but that means that all the other tenants will have to wait that much longer. May I urge the Government to provide special extra funds to councils and to housing associations to deal with asbestos problems?

Mr. Curry: If the hon. Gentleman really wants improvements in the quality of housing and renovation in his borough, he should recommend to his council that it makes an application under the estates renewal programme. If Tower Hamlets, Hackney, Newham, Lambeth and Brent, among the London boroughs, can do so successfully, I am sure that the hon. Gentleman can encourage his council to do the same. It is all subject to tenants' ballots and everyone will benefit substantially.

Unitary Authorities

13. **Mr. Rathbone:** To ask the Secretary of State for the Environment what submissions he has recently received about the cost of establishing the new unitary authorities; and if he will make a statement. [33946]

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): A system of supplementary credit approvals is being used in response to bids to cover reorganisation costs. However, there are clear opportunities for new unitary authorities to make considerable efficiency savings.

Mr. Rathbone: Is my hon. Friend aware of the concern of East Sussex county council at the very special costs being incurred by the new unitary authority of Brighton and Hove and the fact that that may lead to a need to increase council taxes within the East Sussex area? Can he reassure people living in East Sussex that that will not be the case?

Sir Paul Beresford: I can certainly reassure my hon. Friend that we shall be looking at all the bids and bearing his point in mind. I should be very concerned if I had anything to do with East Sussex council as it is at the moment.

PRIME MINISTER

Engagements

Q1. **Mr. Hoyle:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [33961]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Hoyle: Will the Prime Minister confirm that the Government's attacks on the Labour party are being scrapped because they were not hurting and not working?

The Prime Minister: Obviously, our campaign has already worked and already hurt new Labour. I am grateful to the hon. Gentleman for letting me explain precisely why: new taxes on jobs, on Scotland, on parents, on employers, on shareholders; new chaos in schools, in hospitals, on roads; and new weakness in defence and in Europe. That campaign will run and run.

Sir Anthony Grant: Should the Government not be congratulated on embarking upon the long overdue reform of the legal aid system? Does my right hon. Friend agree

that it has been widely abused and, too often, used for blackmailing purposes? Does he further agree that it would be disastrous if Britain had litigation on the scale of the United States, where everyone seems to be suing everyone else?

The Prime Minister: I agree with my hon. Friend on both points. My noble and learned Friend the Lord Chancellor will publish a White Paper setting out the Government's plans to reform the legal aid system in England and Wales. It is right that we should ensure the proper use of money, which is why we believe that legal aid should be directed towards those whose need is greatest. That means stopping weak or undeserving cases being pursued at public expense.

Mr. Blair: In respect of the sale of Ministry of Defence homes, will the Prime Minister confirm the following facts that have emerged? Not only is the MOD guaranteeing the property developer the full market rent for 25 years: on top of that, if the aggregate rents fall beneath a specified minimum the taxpayer is guaranteed to make up the shortfall for each of the 25 years; on top of that, every year a certain quantity of vacant homes will be made available to the property developer to sell at a profit; and on top of that, the property developer can exchange the sites of MOD homes for comparable sites, without the consent of the tenants. Will the right hon. Gentleman confirm that in each of those four respects my understanding is right and, if so, what is the justification for that extraordinary deal?

The Prime Minister: The right hon. Gentleman has overlooked the two most salient facts. *[Interruption.]* All the details will be made plain when the sale is concluded. He has overlooked, first, the extra £100 million released by the sale to provide better homes for the services throughout the United Kingdom and, secondly, the £1.5 billion or thereabouts that will be available to the Exchequer for other resources. He has a lot to say about how he is going to be stringent on public expenditure, but at the first difficult decision he wants to toss away about £1.5 billion.

Mr. Blair: The Prime Minister says that we should wait until the sale is concluded. With all due respect, I think that we should know the details now. It is precisely the worry about public spending that leads me to put this question. The right hon. Gentleman says that the services will get £100 million, but will he confirm that over the next 25 years there will be a recurring liability to the taxpayer—

The Prime Minister *indicated dissent.*

Mr. Blair: The right hon. Gentleman shakes his head, but he has not disputed a single one of the four points that I put to him. Will he say which of those four points is wrong and, in particular, whether the Government are guaranteeing not just a market rent but that if the aggregate of rents falls beneath the specified minimum the taxpayer will be obliged to make up the shortfall? We should know how much it will cost in future years.

The Prime Minister: The right hon. Gentleman still does not understand. This is going to yield substantial resources for the Exchequer. With the shadow Chancellor sitting next to him, I am surprised that he so lightly tosses £1.5 billion aside. There is no doubt that all he has to say about stringency in public expenditure is for public consumption but will not stand up to the first whiff of controversy when it comes to decisions. We are negotiating a good deal for the taxpayer, now and in the future, and a good deal for the service man—now and in the future—as in due course the right hon. Gentleman will be forced to acknowledge.

Mr. Blair: With all due respect, the Prime Minister is talking about the amount of money that he will get in this financial year, but we are asking the question because we expect to be dealing with these problems in future years. That is the difference between the short term and the long term, between the Tory party and Labour. Will the Prime Minister say which of those four facts he denies? Is not the truth of the matter that he is attempting to boost the capital sum in this financial year for pre-election purposes while leaving a recurring liability to the taxpayer for years to come for a sale that no service men or women want?

The Prime Minister: What the right hon. Gentleman has just done is to advance the precise argument against the windfall tax that he himself proposes. Perhaps he will now withdraw the windfall tax, which the shadow Chancellor has spent on three or four occasions already. The right hon. Gentleman still misses the substantive point: it is to provide better accommodation for our service men and that is what it will do, both now and in the future. I am sorry that the right hon. Gentleman does not think that that is a worthwhile proposition.

Mr. Tredinnick: Will my right hon. Friend congratulate the police on the success of their Euro 96 operation? Does he agree that this showed Europe at its best, acting in harmony and co-operation, and does he think it likely that there will be any plans to prosecute for racial incitement?

The Prime Minister: I certainly agree with my hon. Friend about the way in which Euro 96 was policed and about the behaviour of the overwhelming majority of people. I had the pleasure of attending the final and of hearing from football administrators across Europe how much they admired the way in which the competition had been run and the behaviour of the crowds at football grounds across the country. I very much hope that this will help us to obtain further such competitions. Prosecutions are, of course, a matter for the police, but I am sure that they will have noted what my hon. Friend said.

Mr. Ashdown: Further to the Prime Minister's answer to a previous question, does not a large part of the cost of our legal aid come from inefficiencies at all levels in the legal system? Why do the Government not attack those inefficiencies instead of attacking access to justice for ordinary people?

The Prime Minister: We are trying to ensure that people have proper and equitable access where there is a need for it. As the right hon. Gentleman knows, the

legal aid system has very few friends at the moment because of the way in which it operates, and it is right that we should examine it in a White Paper and reform it, which is what my noble and learned Friend the Lord Chancellor proposes to do. His plans will ensure better value for money, with the right services going to the right people, and greater fairness between legally aided people and their opponents.

Mr. Sykes: May I ask the Prime Minister a question about Scotland? He will be well aware that the people of Scotland have much in common with the people of Yorkshire, chiefly in the fact that we will not wantonly part with hard-earned cash. Will my right hon. Friend tell the Opposition that that is why the Scots will never, in a month of Sundays, vote for a tax-raising tartan parliament?

The Prime Minister: The speed of the Opposition's changes on that policy become more bewildering day by day, so it is not at all clear what their policies will be by the end of this week or the end of next week. What we have seen in the past week or so illustrates clearly the total absurdity of the plans that the Labour party has been preparing for a long time but apparently has not thought about. Labour spokesmen have answered none of the questions asked here or in Scotland about that policy because they have no credible answers to them.

Q2. **Mr. Sutcliffe:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [33962]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Sutcliffe: Does the Prime Minister agree with the right hon. Member for South Thanet (Mr. Aitken) that there is a "get Portillo" campaign—a dirty tricks campaign—in the Tory party? Does he not think that such a serious issue—

Madam Speaker: Order. The hon. Gentleman is asking the Prime Minister about policies for which he is responsible.

Mr. Sutcliffe: I thought that the Defence Secretary was the responsibility of the Prime Minister.

Should such a serious issue as homes for the families of service men and women who serve this country so well be used as a political pawn by contenders for the Prime Minister's job?

The Prime Minister: My right hon. Friend the Secretary of State, like me, is determined to ensure the best possible accommodation for service men, and to ensure that an extra £100 million is available to be spent on them. If the hon. Gentleman is concerned about criticism of one Member against another, I suggest that, after the past few days, he should begin to protect his own leader.

Q3. **Mr. Luff:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [33963]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Luff: Does my right hon. Friend believe that the international influence and unity of the kingdom, the interests of England and the practical needs of his constituents and mine, will be assisted by radical constitutional change? Does he think that it was just a coincidence that, immediately after his strongly argued speech on the constitution, the Opposition's policies collapsed in disarray, posing a multitude of new dangers for our nation?

The Prime Minister: It is only the beginning of the collapse of those policies; there will be more progressive collapses to come. Whatever U-turns the Opposition continue to perform on their devolution policies, their policies for a devolved, tax-raising parliament in Scotland are bad news for the United Kingdom and bad news for Scotland, and they will prove to be bad news for the Opposition—of that I have no doubt.

Q4. **Mr. Hain:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [33964]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Hain: Is the Prime Minister not ashamed of the way his party's £10 million attack on new Labour today stooped to exploiting the blindness of my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett)? Will he instruct his party chairman to withdraw that disgraceful attack and exploitation and apologise immediately?

The Prime Minister: No one would conduct such an attack. There are ample policies in new Labour to attack, and those are the policies that we find distasteful and wrong. They are concerned about controls to take rights away from parents, they are producing taxes that they are trying to hide, and they would produce chaos in our public services. Now that we have been able to focus on what the allegedly new Labour party actually stands for, we can identify its dangers and make sure that everyone is aware of them. New Labour and the new dangers will become very apparent to everyone, and it will be the policies that we shall attack, because they are wrong and damaging.

Q5. **Mr. Simon Coombs:** To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [33965]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Coombs: Will my right hon. Friend confirm that the average family in this country will be £450 a year better off by next April as a result of the tax cuts announced by the Government? Can my right hon. Friend think of any good reason why the average family should trust and risk the Labour party's policies for tax and spend?

The Prime Minister: I can certainly confirm that growth in the economy and lower taxes mean that the average family will be £450 better off this year, even after taking account of inflation. I can also make it clear to the average family that inflation is down, interest rates are down, unemployment is down, investment, exports and production are up and the prospects for individuals as well as for families are brighter than they have been for very many years.

Points of Order

3.30 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. I was one of the lucky ones, in that my question was reached in Environment questions, but would you pass some comment on the Secretary of State for the Environment's constant habit of flouting the conventions, if not the rules, of the House in turning round to his supporters and ranting at enormous length? Question Time has become rant time, and it simply means that legitimate questions are not reached. What are the rules of the House about Ministers addressing you and the House?

Madam Speaker: I made a statement about those matters in the last couple of weeks, in answer to a point of order raised by the hon. Gentleman himself, so I would refer the House to the response that I made at that time: that I expect all Ministers to answer questions directly, and I expect all Ministers, from the most junior to the most senior Secretary of State, to speak into that microphone and to address me as Speaker of this House. It is through the Speaker of this House that all Members—Ministers and Back Benchers—speak to the House itself, and I expect Ministers to use that microphone to speak to this House through the elected Speaker of this House.

The Secretary of State for the Environment (Mr. John Gummer): Madam Speaker, if inadvertently I have turned my head from you, I am the first to apologise.

Madam Speaker: Thank you. I was referring of course, as the right hon. Gentleman will know, to all Ministers. I notice every day when I am in this Chair how Ministers address this House, and they do not always do so in the courteous way that I expect of them.

Mr. Hugh Dykes (Harrow, East): On a point of order, Madam Speaker. Notwithstanding the customary virtuoso performance by my right hon. Friend the Member for Henley (Mr. Heseltine) last Thursday and our own natural sense of bi-weekly fun, did you see the excellent feature in *The Independent* on Friday, and those in other newspapers, referring to the excessive screaming and shouting at Question Time in the House?

Without us losing that sense of bi-weekly fun, is it possible, both through the usual channels and through your own good offices, to ensure that we have a calmer, more rational Question Time, especially at Prime Minister's Question Time? Without being sanctimonious, this is very important for the public, who I believe are getting increasingly fed up with this and want more accurate questions—and, indeed, accurate ministerial answers.

Madam Speaker: Yes, I certainly would like to see a much calmer Question Time. For a start, when the Prime Minister and the Leader of the Opposition enter the Chamber, hon. Members on both sides should remain respectful and quiet—they should not jeer and shout. Hon. Members could begin by doing that on Thursday.

Mr. Paul Tyler (North Cornwall): On a point of order, Madam Speaker. I have given you notice of my point of order. On 12 June, I tabled questions to the Secretary of State for Northern Ireland, the Secretary of State for Wales, the Secretary of State for Scotland and the Minister of Agriculture, Fisheries and Food relating to the latest information on BSE cases. I received holding answers on 18 June from all four Departments, and I received substantive answers from the Welsh, Scottish and Northern Ireland Offices on 20 June.

I still have not received an answer from the Ministry of Agriculture. However, the Minister issued a press release giving those figures at the royal agricultural show yesterday. Madam Speaker, is it not a grave discourtesy to you and to the House for the Government to govern by press release?

Madam Speaker: I have made a pronouncement on this matter before. I expect Ministers to give the House information first. I cannot verify the figures or what the hon. Gentleman has said, but no doubt Members on the Treasury Bench will have noted his point of order. I suggest to the hon. Gentleman that he continues to pursue this matter with the Ministers concerned.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. My understanding has been that you take points of order at this time of the day. However, you took a point of order from the hon. Member for Ealing, North (Mr. Greenway) during Question Time. Under what circumstances are points of order taken during Question Time? Is it in relation to the conduct of hon. Members during the particular Question Time?

Madam Speaker: No, it is not the conduct of Members; it is the use of foul language. I will always take a point of order immediately if it is drawn to my attention that unacceptable language has been used.

Mr. Matthew Taylor (Truro): On a point of order, Madam Speaker. I understand that the Secretary of State for the Environment has announced today that he is taking legal action against South West Water because of the poisoning of some 400 people with cryptosporidium. Have you had any indication that he intends to explain to the House what is happening in this regard?

Madam Speaker: No, I have not been informed that the Secretary of State is seeking to make any such statement.

Mr. David Hanson (Delyn): On a point of order, Madam Speaker. Could you give me some guidance about the amount of time taken by Ministers to answer ordinary written parliamentary questions? I tabled a question to the Minister of Agriculture on 22 April and I received a reply only yesterday, following a further parliamentary question. I have looked into this matter, and I have found that over half the questions tabled for ordinary written answers to the Minister of Agriculture since 20 March have taken more than one week to answer. Is there any guidance on this matter? I think that a nine-week wait for a written parliamentary answer is an extraordinarily long time.

Madam Speaker: I have a good deal of sympathy with the matter the hon. Gentleman has raised. I will look at the matter and come back to him. If what the hon. Gentleman has told me is correct, it is an inordinate length of time. Ministers appear sometimes to be taking a great deal of time to answer questions.

BILL PRESENTED

Charter Trustees

Sir Colin Shepherd, supported by Mr. Anthony Coombs, Mr. John Townend, Sir Patrick Cormack and Mr. Robert Key, presented a Bill to provide for the creation in England of parishes in cities and towns where charter trustees have been constituted: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 164.]

Access to Schools (Disabled Persons)

3.38 pm

Mr. John Heppell (Nottingham, East): I beg to move,

That leave be given to bring in a Bill to ensure the findings of the Access Audits (as laid down in the Education Act 1993) be reported to Parliament; to improve access to schools; and for connected purposes.

I wish to congratulate some of the people who have made my Bill necessary and possible. I congratulate the National Union of Teachers, and Scope—formerly the Spastics Society. In 1992, it commissioned a study by Coopers and Lybrand into access for disabled children into mainstream education. This resulted in a report which found that the Government had little available information on accessibility, that the local education authorities and the funding agencies, and even schools, had little information. The report recommended that access audits be carried out. When no action was forthcoming in 1993, a second report was produced to emphasise existing need. That report, "The School Survey", investigated the proportion of primary and secondary schools that are accessible to pupils with physical disabilities. It identified the amount of work that was needed to improve disabled access in schools, and it estimated the initial cost of that work.

The findings presented a bleak picture, but they also drew some reassuring conclusions. The survey found that only 16 per cent. of primary and 7 per cent. of secondary schools were completely accessible. It found that only 18 per cent. of secondary schools were 75 per cent. accessible and that 65 per cent. of primary schools and 55 per cent. of secondary schools had no suitably adapted toilets.

The survey also showed that three out of four primary schools could provide 75 per cent. access to teaching, including toilet facilities, at an estimated cost of £59 million. It discovered that half of secondary schools could provide 100 per cent. access to teaching, including toilet facilities, at a cost of £251 million.

Although we are talking about millions of pounds, hon. Members should recognise that they are quite modest sums in the context of the total school spend. The report identified the existing problems in schools, but for the first time it offered a solution. It found that disabled students could achieve access to schools at a fairly modest cost, if a planned programme were set in motion.

I now wish, rather uncharacteristically, to congratulate the Government. The Government decided to act upon the report, and they amended the Education Act 1993 to allow for access audits of all schools. The Government went still further: partly as a result of the "Within Reach" schools survey, they established an access initiative to enable schools to bid through their local education authorities for money to improve their accessibility. The survey showed that some schools could become accessible for as little as £2,800. I congratulate the Government on taking that initiative.

Some people will claim that the Government were under pressure from disabled people. They will say that the Disability Discrimination Act 1995 did not go far enough, and that it came too late. Nevertheless, the Government introduced an initiative that has the potential to do an awful lot of good in many schools and help many children with disabilities.

Access audits have now been conducted, and schools have been allowed to bid for a pot of £10.5 million, comprising Government and partnership money. I am pleased and proud to report that my local authority, Nottinghamshire county council, submitted a bid for £180,000, which was approved. Almost every authority across the country bid for a share of the money.

However, I am concerned that nothing seems to be happening with the access audits. It is commendable that the audits have been conducted, but they must now be analysed and presented to the House. I am worried that, although the initiative may be working perfectly, we might find that the money could be spent more efficiently within that initiative. We might find that more, or even less, money is needed. I am not asking for additional money at this stage: I am simply saying that we need to know the facts, and to debate in the House the next move forward. The access audit findings that were announced on 21 March showed that 11,694 schools had less than 50 per cent. access to teaching accommodation. Some 68 per cent. of toilet facilities in primary schools and 49 per cent. of toilet facilities in secondary schools were inaccessible.

The Government's initiative has given us a chance to move forward. We have recognised for a long time that it is a necessity that all children have a good education. The problem is that we have recognised only for the past 25 years that children with special needs have a right to education. Initially, children with special needs were segregated, but Government policy—we had a consensus across the Floor of the House—has recognised since 1981 that, in the vast majority of cases, segregation is damaging not only for children with special needs but for other children.

When I was a councillor, I tried to get people with disabilities employed on the council; the best way to ensure that the rest of the work force accepted people with disabilities was to employ someone with a disability. The best way to do away with discrimination and people's prejudices is to make them face up to their prejudices. We have to accept that discrimination still exists in our schools, to the disadvantage of children with disabilities.

Some 52 per cent. of head teachers claim that their schools are inadequately resourced for special needs, and 42 per cent. of disabled adults have no formal qualifications, compared with 13 per cent. of the population as a whole. Disabled students make up only 0.3 per cent. of the entire student population in universities, although they comprise more than 2 per cent. of the school population.

Despite legislation to encourage inclusive schooling, the number of children in special schools in 1989 was not even 1 per cent. lower than it was in 1977. That rate of progress would be shameful in any civilised society, but it is even more shameful when the country needs to ensure the best education possible for all our children. Children with disabilities have a right to be included, and I hope that the Bill will go some way towards giving them that right.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Heppell, Mr. Harry Cohen, Mr. Robert Ainsworth, Mrs. Bridget Prentice, Mr. Frank Cook, Mr. Jim Cunningham, Mr. Michael Connarty, Mr. Ian Davidson, Mr. Colin Pickthall, Mr. Mike Hall, Mr. Neil Gerrard and Mr. Keith Hill.

Access to Schools (Disabled Persons)

Mr. John Heppell accordingly presented a Bill to ensure the findings of the Access Audits (as laid down in the Education Act 1993) be reported to Parliament; to improve access to schools; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Thursday 18 July and to be printed. [Bill 165.]

Orders of the Day

Broadcasting Bill *[Lords]*

As amended (in the Standing Committee), further considered.

New clause 18

EXEMPTIONS FROM TELEVISION LICENCE REQUIREMENT OF CARAVANS AS SECOND HOMES

'.—(1) Part II of Schedule 2 to the Wireless Telegraphy (Television Licence Fees) regulations 1991 (SI., 1991, No. 436) shall be amended as follows.

(2) After paragraph 8 there shall be inserted—

"9.—(1) Any person in possession of a licence to install and use a television receiver at their normal place of residence shall not require an additional licence to install or use a television receiver in a caravan, provided that—

(a) the licence entitles them to install and use the additional receiver

(b) the caravan is not used for permanent residential purposes or made available for commercial hire or let.

(2) In this paragraph "caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted." '.—*[Dr. Moonie.]*

Brought up, and read the First time.

3.48 pm

Dr. Lewis Moonie (Kirkcaldy): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss new clause 42—*Concessionary television licence schemes (sheltered accommodation)*—

'.—(1) Part II of Schedule 2 to the Wireless Telegraphy (Television Licence Fees) Regulation 1991 (S.I., 1991, No. 436) shall be amended as follows.

(2) In paragraph 1(c), for the words "either lines in one of the dwellings within the group or" shall be omitted.'.

Dr. Moonie: I shall say at the outset, in case anyone is in any doubt, that I shall not seek to divide the House on new clause 18, which seeks to exempt caravans and mobile homes—used for holidays, not for permanent residential purposes—from the requirement to possess a television licence. New clause 18 would amend the television licensing regulations, and we have tabled it to highlight an anomaly that many hon. Members will have noticed through the contents of their postbags.

Only in recent months has the BBC, through the licensing authority, been collecting licence fees for caravans and in a number of other areas. At present, only tens of thousands of pounds have been collected from that source, compared with the £1.7 billion from the general licence fee.

A legal ruling forced the BBC to start collecting that money, although it is obvious from the regulations that every holiday home, even if a television is taken there for only a week, every caravan, every boat, even every lorry driver's cab, has always required a separate licence.

In Committee, my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) highlighted an anomaly in the licensing regulations relating to sheltered accommodation. The Minister kindly agreed to table new regulations to rectify the problem. I hope that, in turn, the Minister will agree to consider this matter in some detail.

It is obvious that second homes that are occupied for much of the year, such as those that hon. Members occupy in London, should be subject to the full licence fee. It is also obvious that commercially let properties should be subject to the full fee. But it may be possible to come up with a scheme for a lower-price supplementary licence in certain cases, or a similar, more pragmatic, arrangement.

The new clause gives the Minister the opportunity to undertake to review the regulations in general, in order to make them more satisfactory and to tidy them up. I hope that, for everyone's benefit, he will take that opportunity.

Mrs. Margaret Ewing (Moray): I want to comment on new clause 18, but my main remarks will be addressed to new clause 42 in my name.

As we all know, caravan sites comprise a variety of establishments. I have recently received letters from one in my constituency which consists mainly of static caravans, and I have written to the Department on the issue. Most of those static caravans are used by old-age pensioners. The possibility exists for a rebate on their television licences for the five months during which the caravan site is closed, but that means a substantial amount of administrative work and bureaucracy.

I wonder what expense such organisations face in ensuring that those who are eligible benefit from that concession. To reclaim such a sum would involve a huge amount of bureaucracy and cost. I hope that the Minister will refer to that.

New clause 42 relates to sheltered housing, which I understand was debated in Committee. I want to consider some of the anomalies that have resulted from the various regulations on that issue. This is a complex sphere, which must be addressed in order to give people in sheltered accommodation a concession on their television licence fee.

Having read the papers, I understand that the redefinition of sheltered housing eligible for concessions appears in SI 1988/899, and consolidation regulations were brought into force by SI 1991/436. That meant that a communal facility was not required. The Department of National Heritage is responsible for setting the fees and the content of the regulations.

The Department of National Heritage and its predecessor have left huge anomalies in the regulations. Since I tabled the new clause, hon. Members from other parties have spoken to me on the subject. Those anomalies are causing much concern, and often anger.

A sheltered housing complex in my constituency has one warden and one deputy warden, who take equal responsibility for all the residents. There are no communal facilities, but the warden visits all the residents each day, monitors the alarm system and assists with medical appointments. Concessionary television licences are allocated to the residents in one group of houses, but not to those in the other section of the complex, because the warden is resident there. I cannot see the rationale behind that argument, and I ask the House and the Minister to look again at the anomaly.

Yesterday and today, we have been celebrating the memory of those who lost their lives in the battle of the Somme. The elderly community deserve our support. We have a piecemeal approach to concessionary television licences for sheltered accommodation. The anomalies must be addressed, to eradicate the sense of injustice felt by many of my constituents. I sincerely ask the Minister to take on board the possibility of reviewing all the legislation which applies to the concept of concessionary licences for those who live in sheltered accommodation.

Mr. Roger Gale (North Thanet): As I represent a constituency with a large number of mobile home parks and touring caravan parks—in common with other hon. Members representing Kent and south coast constituencies—I must express my sympathy with new clause 18.

Those who take trailer caravans on holiday and park them in the excellent caravan parks in Thanet find it quite incomprehensible that, while they are away—not using the television at home—they should suddenly require a second television licence to use a portable television in the caravan. That applies equally to those using portable televisions in canal boats and other forms of mobile habitation. I very much hope that my hon. Friend the Minister will look sympathetically at the new clause.

Mr. Joseph Ashton (Bassetlaw): A couple of years ago, I sat on the Select Committee on National Heritage when it examined in depth the anomalies relating to television licences. As any hon. Member who receives representations on this will know, the system is a shambles from top to bottom.

Many of my constituents are pensioners. Some are unemployed miners who had to take early retirement. They use some of their redundancy pay to spend the summer on caravan sites at places such as Skegness. They enjoy watching television when they are away, and they continue paying for it when their houses are locked up. Suddenly, out of the blue, they receive a letter saying that they now have to pay again.

I took up the matter with the BBC licence fee unit. The Select Committee discovered that, since that unit took over from the Home Office about five years ago, it has been much tougher and harder, without achieving much more success—except for sitting ducks such as poor pensioners.

The letter I received from the licence fee unit referred to

"a change as a result of legal advice we received".

Who asked for legal advice? Who demanded that lawyers should look into the matter? The licence fee unit demanded it, in order to take more cash. It was nobody else. The letter states that the licence fee

"was called into question and we took legal advice."

Nobody asked the licence fee unit to take legal advice. The House did not ask it to do that. I do not know whether the Minister made such a request. There was certainly no debate in the House. Those people receive a bonus according to what they bring in.

The letter referred to my constituent Mrs. Perry, who lives in Holderness close, Harworth, South Yorkshire. The local council gives pensioners free bus passes. If pensioners do not want bus passes, they can exchange them for the equivalent of a black and white television licence costing about £35 a year. Astonishingly for a rural area, 30 per cent. of pensioners prefer a television licence to a free bus pass. Many of them shop in the village shop. They do not travel long distances on buses, and travel into town only about twice a year at Christmas, so a television licence is extremely useful.

Anomalies have existed for many years. At one time, big hotels such as the Savoy had one television licence for 400 bedrooms. Very smartly, the Labour Government of 1968 changed that. When I first became a Member of Parliament, we told the then Labour Government that the Savoy hotel should be treated no differently from old people's sheltered accommodation. There is a link, although it may be horizontal rather than vertical. That was how the cheap television licence came into being. Every pensioner in sheltered accommodation with a warden paid a shilling—5p—and the BBC did not like it at all.

That arrangement was spoilt by a council in Huddersfield, which said that rent collectors were like wardens, and that every pensioner from whom rent was collected was therefore entitled to a cheap television licence. The BBC went to court, and the system was stopped. It has always been the BBC's aggression, rather than the House, that has caused anomalies.

Our Select Committee then said, in the context of the Savoy hotel, that any hotel with more than 50 bedrooms—it did not want small boarding houses to be included—ought to pay a licence for each television set in each of the extra bedrooms. The licensing unit people would not have that, however. The law was amended, and the Savoy must now pay a licence for every 15 sets; but if the Savoy can have just one licence for 15 television sets when it charges £150 a night for each room, why the hell cannot pensioners and other hard-up people continue to have their television sets at the seaside? It is time that the Minister looked into what the licensing unit is doing.

4 pm

The Select Committee discovered that 40 per cent. of people in Northern Ireland never pay for television licences. They call the licence fee an English tax, and stick two fingers up at the men in the detector vans. The men in the vans are terrified to do anything about it, and avoid certain parts of Belfast because of the problems that there have been in the past. The Committee found that, in the east end of London, 15 per cent. of licence fees had not been collected: owing to the rapid turnover of bedsitters, with six people living in a house divided into six rooms, no one knew who owned the television set. As the authorities did not know who should be prosecuted, they simply walked away.

Representatives of the magistrates courts begged the Committee on bended knees to do something about the problem. They were fed up with sending people—mainly women—to gaol. Last year, nearly 800 people were imprisoned for non-payment of licence fees. The magistrates told us that they were not people who would not pay, but people who could not. They did not have the £84. They were single parents, faced with the choice between having their electricity cut off and not paying their television licence fee.

People do not go to gaol if they do not pay their water, gas or electricity bills; they are disconnected. But if they cannot pay for their television licences, and cannot pay

[Mr. Joseph Ashton]

the fine, they go to gaol. The magistrates, the Lord Chief Justice and other members of the legal profession have protested about that. People who do not pay may be imprisoned for only seven days, but, if a single mother with three kids goes to gaol for seven days, it costs the local council £2,000 to look after those children.

The people at the licensing unit receive bonuses related to the amount they collect. That is why women, kids and pensioners are roped in. They do not visit homes at night, when it is dark; they visit them during the day, when it is mainly unemployed people, pensioners and one-parent families who are sitting at home. They are continually chasing revenue with which to enhance their bonuses. They do not bother about the Savoy hotel; no legislation has been introduced to deal with it. This is simply vindictive revenue gathering, in the knowledge that people must pay or go to gaol.

That is what is wrong with the legislation: it hits the people who cannot afford to pay, rather than catching the people in the big hotels who can. I hope that the Minister will reconsider, and withdraw the measure. If he does so, he will be a very popular man.

Mr. Kevin Hughes (Doncaster, North): I support new clause 18. Let me draw the Minister's attention to my early-day motion 972, which seeks to persuade the Government to do something very similar.

It is always useful for Opposition Members to be able to blame the Government for just about everything. The BBC asked for the new interpretation. If it had not, there would be no change, because the interpretation used to be that, if there was a licence for the main home, there was no need for another one. That is sensible, because no one can simultaneously watch television in his home and in his caravan or holiday home.

The BBC sought an interpretation, and presumably it got the answer it wanted, which will cost some people a great deal of money. But the interpretation is ludicrous, because, as I have said, people cannot watch two television sets at the same time. I accept that, if part of a family is watching television at home while the other family members are watching another set, they should be required to buy two licences, but it is not fair to ask people to pay twice for one service, and I can think of no other area in which that happens.

Many thousands of people—including many of my constituents and those of other hon. Members—enjoy their caravans and holiday chalets over the summer, and should not be penalised by having to pay twice for one service. I urge the Minister to accept the sentiments of the early-day motion and the new clause. He should revisit the situation and come up with a reinterpretation, so that people are not penalised in this way.

Mr. Austin Mitchell (Great Grimsby): I am grateful to my hon. Friend the Member for Bassetlaw (Mr. Ashton) for putting such good points. The provision has given rise to massive grievance; many hon. Members are getting representations about it from people with caravans, chalets or other such accommodation.

The BBC has been forced into the situation by the licensing system. The licence fee is not increased by as much as it should be or by the rate that BBC costs are increasing, so the BBC is forced to extract the maximum revenue from it, and that leads to bullying. As my hon. Friend the Member for Bassetlaw said, people dare not use such bullying in Northern Ireland, where there is massive unpaid revenue. The process is exercised against the poor, the vulnerable, the old, and those who happen to be at home when the detector van calls.

I, too, went to see Grimsby magistrates about the sending of people, especially women, to prison. The magistrates do not want to do it: it is a question of unpaid fees. The problem seems to arise because, when the detector vans call, it is often the woman who is at home watching television, while the man may be down at the pub boozing away the licence fee. Therefore, it is the woman who is charged. It is monstrous that, in effect, the BBC has opened a massive grievance to extract its revenue. We should do something about that.

Our new clause is modest—it is a moderate clause from a moderate party—and covers only caravans that are used for holiday accommodation and are not let. It should also cover chalets and other such accommodation, which I do not know how to describe. There is exotic architecture along the sea front, especially in my area. It is "Costa del Caravan" there.

In the summer, some people who live in Grimsby migrate two or three miles down the coast to get the better weather in Cleethorpes. They live in caravans or chalets, and they take the television set with them. They do not leave it at home, where it and the video could be stolen. It is not a question of watching one service: there is only one set, and it has to be portable—if it were not, it might be stolen.

Those people naturally feel a grievance. They are told that they must have two licences, but that they can claim a rebate in each place for the part of the year that they are not in that place. The rebate, however, is not enough to reduce the charge to a fair level, so that is not a satisfactory solution. Our new clause is a sensible way of approaching the matter.

I also support the proposals in new clause 42, which deals with another long-standing grievance. The matter has been argued over so much. It causes much bitterness that one set of pensioners can get the reduced licence fee and another set cannot. I am amazed that, after all this time, the Government have still done nothing about that grievance, which has been festering. Indeed, they have allowed the BBC to add the other grievance about caravans and chalets, which is dealt with in our new clause. I strongly support both new clauses.

Ms Angela Eagle (Wallasey): I want to concentrate mainly on new clause 42. Since my election, the grievance about who has the concessionary television licence and who cannot qualify for it has been the one most affecting the elderly population in Wallasey, and the one about which they often write to me. One of the difficulties is its perceived unfairness, which new clause 42 seeks to deal with. It is about time that the Government considered what can be done about it.

The inconsistency infuriates people. They often live next door to someone in the same circumstances and in sheltered accommodation of the same size. There is no difference, apart from the time when an individual moved in and qualified for the concessionary licence, but there is a large difference in the two payments that those

neighbours must make. The licence fee is £89.50, which is a significant sum for some of our pensioners on low fixed incomes to have to come up with every year.

We know that many elderly people rely on television for their entertainment. If they are on a low income, they have few other pleasures. I therefore hope that the Government will take both the new clauses seriously. I know that it is a tangled problem, particularly in relation to sheltered accommodation, but I would be interested if the Government could come up with a way of solving some of the anomalies, and of at least helping neighbours to get on better with each other instead of rowing about one paying the £5 concessionary fee while the other must come up with nearly £100 for the same entertainment and service.

The problem exists for many of our constituents, and I look forward to hearing what ingenious ways the Government have come up with for dealing with the problem, which has persisted for too long.

The Minister of State, Department of National Heritage (Mr. Iain Sproat): May I address myself to the hon. Member for Moray (Mrs. Ewing) first? She has explained the purpose of her new clause. In responding, I shall refer to the "warden requirement" as a convenient shorthand for the term in the qualifying criteria for the concessionary television licence scheme:

"a person whose function is to care for the needs of (the residents)".

As we understand it, the new clause's intention is to relax the warden requirement in the regulations, so as to bring within the concessionary scheme sheltered accommodation with visiting warden services. I say to the hon. Member for Wallasey (Ms Eagle) that I take the matter extremely seriously. She and the hon. Member for Moray will know what we have done in Committee.

The Government fully appreciate the importance of television to elderly and disabled people, and understand that those who narrowly fail to qualify for concessionary television licences may feel disappointed. However, having responded to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and to my hon. Friend the Member for Worcester (Mr. Luff), in Committee, we changed the circumstance where, in sheltered accommodation, if only one person owned their flat, no one else could get a concessionary licence. That is coming forward.

As the hon. Member for Wallasey said, it is a tangled matter. I try to go one step at a time. I have solved one problem, which was bitterly felt by many people in Merthyr Tydfil, in Worcester, and no doubt in other places, but we cannot accept new clause 42. I have considered it, as I have considered the other one. I found a solution to the other problem, but I cannot, at this moment at any rate, find a solution to this one.

Mrs. Ewing: I think that we all appreciate the concession that was granted in Committee. However, the warden in the sheltered housing complex about which I am concerned tells me that her responsibilities are the same for both groups of residents. Therefore, she cannot for the life of her understand why there should be a difference in application of the concessionary licence. Is not that another anomaly that should be looked at? I ask the Minister again to undertake a total review of the way in which we deal with concessionary licences for the elderly, disabled and vulnerable in our society.

Mr. Sproat: I will certainly look at the anomaly in the hon. Lady's constituency, and I will see where that leads me.

On new clause 18, the Government sympathise with the concern expressed by caravan owners and the tourist industry that a second television licence may be needed for those who wish to watch television in caravans.

I know that my hon. Friend the Member for North Thanet (Mr. Gale) must have many caravans in his constituency. He has spoken to me about this matter before. In response to what he has said, and in response to the Opposition's amendment, I am glad to say that we will introduce regulations to take account of changes in the use of television in recent years, including those affecting touring caravans and other types of vehicles and vessels. We will aim to do that as soon as possible. In the light of that, I hope that the hon. Member for Kirkcaldy (Dr. Moonie) will withdraw the motion.

Dr. Moonie: I thank the Minister for his helpful remarks. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 19

RESTRICTION ON RE-BROADCASTING OF PROGRAMMES FORMING SUBJECT OF FAIRNESS COMPLAINT

'.—(1) No programme against which the BSC has entertained a fairness complaint shall, without the prior consent of the relevant regulatory body, be repeated in full or in part within the United Kingdom nor included in any service intended for reception outside the United Kingdom until the complaint has been adjudicated upon and the BSC's decision made known to the complainant.

(2) For the purposes of subsection (1) above, a complaint shall be deemed to have been entertained by the BSC if on a preliminary examination it appears to the BSC to disclose a reasonable case to answer.

(3) Where the BSC has upheld a fairness complaint in respect of a programme the relevant broadcasting body or, as the case may be, the relevant licence holder, shall not cause the programme to the repeated within the United Kingdom nor permit the inclusion of the programme in any service intended for reception outside the United Kingdom until it has been edited to remove the part or parts of the programme which the BSC has adjudicated to be unfair.'.—*[Sir Michael Marshall.]*

Brought up, and read the First time.

4.15 pm

Sir Michael Marshall (Arundel): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 137, in clause 101, page 91, line 26, at end insert—

'(2A) It shall be the duty of each broadcasting or regulatory body, when requested by a person or body of persons with reason to believe that their privacy has been, is being, or is about to be infringed in connection with the obtaining of material for a forthcoming programme, to investigate and satisfy themselves that the relevant code in force under subsection (2) above in respect of privacy has been properly applied; and any such request by a person or body of persons shall not prejudice any rights they may have under section 105 of this Act.'.

Sir Michael Marshall: I believe that it would be more convenient to discuss amendment No. 137 first.

[Sir Michael Marshall]

It is related to clause 101 and covers complaints by aggrieved parties of unjust or unfair treatment or unwarranted infringement of privacy. It is concerned with the role of the broadcasting or regulatory authorities and their relationship with the new Broadcasting Standards Commission, which I shall refer to as the BSC. It is concerned about a situation where complaints are made before a programme has been broadcast. It will become apparent that new clause 19 is about the handling of complaints after transmission.

I make the point at the outset that the new clause and the amendment have been tabled by my right hon. Friend the Member for North Wiltshire (Mr. Needham) and myself in the light of our experience and that of our constituents in respect of the film entitled "Beyond Reason", which was shown on 20 February 1995. The scale of the problems and the distress caused to our constituents can be judged by the Broadcasting Complaints Commission's subsequent adjudication of 12 October 1995. It said:

"The Broadcasting Complaints Commission have upheld complaints about the drama, 'Beyond Reason' commissioned by Carlton Television and shown on the ITV network last February. The film tells the story of the killing four years earlier of Penny McAllister, wife of Captain Duncan McAllister, an army officer serving in Northern Ireland. Her throat had been cut by her husband's mistress, Susan Christie, a private soldier in the Ulster Defence Regiment, who was given a sentence of five years—increased to nine on appeal—for manslaughter.

The BCC found that the film unwarrantably infringed the privacy of Duncan McAllister and his family, and that of Penny McAllister's parents, Mr. and Mrs. Desmond Squire. Both families had repeatedly pleaded with Carlton Television not to go ahead with the film they had commissioned about the tragedy. The Commission found that, although there had earlier been widespread reporting of the tragedy, there was no public interest justification for showing the film, which had been made as a television drama for public entertainment.

The BCC also found that the programme showed Duncan McAllister as a man far more heartless, selfish and uncaring than could be supported by all the evidence. The portrayal of his seeming callousness when told of Susan Christie's reported pregnancy and miscarriage was particularly unfair.

Finally, the Commission upheld complaints from Mr. and Mrs. Squire that the film's opening captions did not make it clear to viewers that the programme was made despite their strong objections and without any co-operation from them."

I have quoted that in full because it is important to understand the thrust of the new clause and the amendment. I should add that the dead girl's parents, Mr. and Mrs. Squire, are my constituents, and that the interests of Mr. Duncan McAllister and his parents were handled by my right hon. Friend the Member for North Wiltshire as their constituency Member of Parliament.

It may also help to put the matter in context if I refer to the 1994 report of the chairman of the Broadcasting Complaints Commission. I had the opportunity during an Adjournment debate on 8 March 1995, to which my hon. Friend the Minister of State responded, to quote the remarks of the chairman of the BCC—then Canon, now Lord Pilkington—to whose work I pay tribute, as I do to the work of the BCC. In 1994, he said:

"We continue to be concerned by crime reconstructions particularly when they are based on cases which have occurred in the recent past. We feel it is very important that in the making of such programmes consideration is given to the position of the relatives of the victim."—[*Official Report*, 8 March 1995; Vol. 256, c. 435.]

Against that background, I shall explain why my right hon. Friend and I—because of our experience and that of our constituents—suggest that our amendment and new clause are necessary. When we were first approached by the families concerned, a year before the screening of "Beyond Reason", we used every opportunity to persuade the Independent Television Commission, as regulator, and Carlton (UK) Television Ltd., as the company commissioning the film, to give full weight to complaints of unjust and unfair treatment and of invasion of privacy, which we could see that the project represented.

We stressed in particular the distress caused to our constituents in recreating that tragedy—including the murder in 1991 and the trial in 1992—so soon after the events, and that the outrage and distress were compounded by recreating the dead girl, her parents and Duncan McAllister by look-alike actors. Our appeals were rejected. The ITC said that the project did not breach its current guidelines and codes of practice for drama documentary.

Carlton relied on public interest and other arguments, which our constituents found totally unacceptable—as, clearly, did the BCC in the adjudication that I quoted.

That was in the recent past. What is the situation today? My right hon. Friend the Member for North Wiltshire and I have engaged in a long series of discussions and correspondence with the Department of National Heritage, the ITC and the BBC. The significance of all those parties is worth a few words.

My right hon. Friend the Secretary of State and my hon. Friend the Minister of State have shown considerable sympathy with the case that we have made. Clearly, we have been determined to ensure that, as far as possible, there should be no repetition of the suffering inflicted on our constituents—or on the constituents of any hon. Member.

On the general principle, we believe that there must be an advance opportunity to influence programme makers to prevent unfairness rather than merely being able to complain about it afterwards. However, the Department of National Heritage seems to be impaled on the hook of protecting the principle of self-regulation.

I outline the situation as explained by my hon. Friend the Minister of State in a letter to me of 12 June 1996. He wrote:

"the programme in question led to a number of concerns being raised, even before its broadcast, not just by the Broadcasting Complaints Commission but also by the Independent Television Commission (ITC). I understand that the ITC was, at the time of broadcast, preparing to publish a revised Programme Code, containing new guidelines to be followed in respect of dramatised reconstructions. The ITC had no doubt that 'Beyond Reason' breached those guidelines, but was unable to take action, given that the revised Code was not, at the time, in effect. Nevertheless, the ITC made its views clear to the broadcaster, and made clear its intention to prevent any repeat, as a breach of the new Code, using its powers under the 1990 Act."

It is not entirely clear whether that means a repeat of the offence or a repeat of the programme, for reasons that I shall mention later.

My hon. Friend the Minister continued:

"At the time of publication of its revised Programme Code, the ITC wrote to broadcasters, highlighting the new guidelines and explaining their implications."

Coming to amendment No. 137, in the terms before us, my hon. Friend the Minister then commented:

"If I may turn now to . . . the amendment, my understanding here is that the measures you propose are unnecessary. There is nothing to prevent an individual from approaching a regulator in connection with an allegation that a broadcaster has infringed or is likely to infringe his or her privacy. In such circumstances, the regulator, even without the power of preview or veto, is free to approach the broadcaster or licence holder informally to remind them of their responsibilities under the relevant codes or guidelines. If the broadcaster ultimately ignores this warning, he does so in the knowledge that severe sanctions may result."

That was the view put forward by my hon. Friend the Minister, which I have discussed with him, as has my right hon. Friend the Member for North Wiltshire. I shall return to the points that he made in a moment, but for the sake of completeness I want to refer to the arguments against the amendment put forward by both the BBC and the ITC, and which clearly have had a strong influence on the Department's thinking.

I emphasise that it is important to note the problems of principle about which I am arguing, because they are not confined to the ITC. Discussions with the Broadcasting Complaints Commission show that examples of actual and potential problems in this area could affect BBC television and the Radio Authority. I want to concentrate my remarks on television, as the medium about which my right hon. Friend and I have been most concerned during recent months. I shall summarise the reactions of the BBC and the ITC to amendment No. 137, of which they were given advance notice. Perhaps, in these rigorous days, I should declare my interest as a former BBC cricket commentator. The chances of getting such work again in this egalitarian age, with women commentators—something I am sure the hon. Member for Wallasey (Ms Eagle) welcomes—are rather narrow. In passing, I point out that, as a strong proponent of the need to sustain the BBC World Service, I can generally be taken to be a fan and supporter.

Having said that, I can only describe the BBC's reaction to the proposals in amendment No. 137 as one of, "Auntie knows best." I shall quote from a letter that I received from the BBC's parliamentary liaison officer, dated 21 May 1996:

"The proposed amendment . . . would impose an additional burden on the BBC quite separate from the BSC complaints procedure. The question of whether the BBC's Code had been complied with will arise in any event as part of the consideration of the complaint. It is important to remember that the BBC's duty is to 'reflect the general effect of the BSC code as it is relevant to the programmes in question'. The amendment would give complainants an unnecessary and potentially alternative procedure."

The ITC has consistently shown a greater willingness to address our concerns. Indeed, through correspondence with its chairman last January, it stated that the ITC was ready to accelerate the process of sanctions against those breaking relevant codes. I shall not detain the House with the detail, but that is a welcome assurance. However, the ITC, like the BBC, argues that amendment No. 137 is unnecessary because the procedure is already open to a potentially aggrieved party. In its letter of 28 May, the ITC also expressed fears that to formalise the procedure could lead

"to a flood of appeals to the ITC, some of which might be self serving and mischievous."

With that background, I shall now make the case for amendment No. 137. I have tried to give the full flavour of the objections from the BBC and the ITC and of the way in which they have been reflected in the preliminary responses of the Department of National Heritage. Let us consider them in turn.

First, all three parties—the Department, the BBC and the ITC—agree that the procedure outlined in amendment No. 137 is already open to those who wish to complain. Why then discourage its formal incorporation in the Act? Surely the argument that such formalisation would lead to a flood of complaints applies whether the powers are voluntary or statutory. Secondly, experience shows that the viewing and listening public have little or no idea of to whom they can turn. They cannot distinguish between the Broadcasting Standards Council, the regulatory authority, the ITC, the BBC board of governors, the broadcaster, the programme maker and so on.

4.30 pm

My right hon. Friend the Member for North Wiltshire and I became involved through handling our constituents' complaints and acting as advocates for them at the hearings of the Broadcasting Complaints Commission. We found the process lengthy and complicated. It was difficult for the ordinary citizen without full administrative support to make any headway. I have little doubt that many people have been deterred in the past.

On amendment No. 137, I fear that I cannot accept the assertion of my hon. Friend the Minister and the regulatory bodies that such problems cannot recur. There has been some tightening: the ITC recognises that there are circumstances in which it would be difficult to justify programmes such as "Beyond Reason", where the likely distress to the people concerned is greater than the public interest. However, there is no certainty in the matter.

What about the temptation facing a licence holder whose franchise may not be extended? Is there not a danger of a sensationalist end to the franchise designed to maximise final advertising revenue? As for the BBC, recent experience with the broadcast interview with the Princess of Wales shows that even the board of governors is not necessarily au fait with the corporation's production activity. For those reasons, I cannot understand why there should not be a clear statement in the Bill, which would emphasise the regulator's role in providing some public reassurance. Above all, it would give some hope to aggrieved parties that action may be possible before the damage is done. I commend amendment No. 137.

New clause 19 logically follows amendment No. 137 in seeking to curtail the apparent disregard of the upholding of fairness complaints. I gave the House an outline of the Broadcasting Complaints Commission's adjudication on "Beyond Reason", which could not have been more damning. But what followed? Within days of the adjudication, the programme was broadcast again in Australia. That raises the question whether the ITC was correct to advise my hon. Friend the Minister that it had exercised its power to prevent repeats. I shall return to that point later, but I ask the House to consider the effect on constituents of yet another round of publicity and correspondence, which added to their distress.

New clause 19 addresses the prevention of repeats at home and overseas and would give additional teeth to the proposed Broadcasting Standards Commission to remove material that is judged to be offensive from such repeats. I emphasise that new clause 19 has been changed to try

[Sir Michael Marshall]

to take account of what I accept were genuine objections to it. I should outline briefly the actions of the three main parties before I explain how we have amended it.

The BBC's parliamentary liaison officer wrote:

"Regrettably the proposed New Clause on Restriction on Re-Broadcasting of Programmes forming subject of complaint treads on essential editorial freedom and independence. The BBC is established and governed by a Royal Charter and Agreement as an independent broadcaster and is not subject to the editorial decisions of any other body. This is a matter of fundamental principle. The integrity and responsibility of BBC programmes are not just well attested.

The new Royal Charter and Agreement specifically requires that independence. Impartiality and standards of good taste and decency and accountability are also required. No additional regulations are needed to guarantee these principles and practices."

Does not that fly directly in the face of all the arguments put forward by those who have shown that the BBC cannot automatically count on the form of regulation suggested? Interestingly, no reference is made in those comments to the invasion of privacy. Many may feel that that shows the BBC at its worst, with an apparent declaration of independence from any future role of the BSC.

By contrast, the ITC showed a desire to help. I quote again from the chief executive's letter of 28 May 1996. On the new clause, it said:

"The ITC is entirely sympathetic to the wishes of a legitimate complainant that a programme should not be repeated while the BSC adjudicated on the matter. However, current Broadcasting Complaints Commission processes may take many months and in some cases more than a year to reach adjudication. A mischievous complainant, who took exception to a programme (but had no legitimate grounds to do so) could block its repeat during this period. This clause would therefore have the unintentional side-effect of placing a significant block on broadcasters' legitimate freedoms."

On restrictions on overseas use, it said:

"The difficulty with this . . . is that it assumes that the UK broadcasting body or licence holder will also control secondary rights for overseas use. That is not always the case."

In both correspondence and meetings, my hon. Friend the Minister related our original draft new clause to one moved in another place by the noble Baroness Dean, who sought to help us in taking the new clause through the other place. I pay tribute to her work in that regard. However, the proposal was rejected, largely because of the ITC's objections, which I mentioned earlier. In fairness to all concerned, I therefore stress that the new clause moved this afternoon meets the genuine concerns put to us.

The key element in the new clause is that it is covered by the words:

"without the prior consent of the relevant regulatory bodies".

Subsection (2) defines the basis on which the BSC will be deemed to entertain a complaint. With those changes, we have reasserted the principle of self-regulation, by confirming the power of the regulatory body to say yes or no to repeat programming. Thus we also meet the flooding and mischievous complaint concerns.

I accept that overseas repeats will sometimes be beyond the powers of the regulatory body, but clearly not in all cases. Many broadcasters control both UK and overseas distribution. That sanction should be in place. The moral case must apply to those who seek to beat the system, because I assume that they must look to a longer-term relationship with the regulatory authorities, as current and potential licence holders.

For those reasons, new clause 19 would meet the needs that are plain for all to see. I wish to end on this thought. I have tried to present the arguments of the giants in this field of endeavour—the ITC, a major Department of state and the BBC—dispassionately. But I ask all hon. Members to consider how they and their constituents would feel against the background of an appalling piece of drama documentary such as represented by "Beyond Reason".

In a spirit of seeking to prevent and deter such suffering, as well as to present a genuinely clearer statement of the options open to aggrieved parties, both before and after the transmission of a television programme, I urge the adoption of the new clause and amendment.

Mr. Richard Needham (North Wiltshire): In his usual dispassionate way, my hon. Friend the Member for Arundel (Sir M. Marshall) has put the case against the film "Beyond Reason" and expressed our concerns. They are simply that no such film should be made or shown again. To achieve that, something must happen to ensure that such films do not appear on television.

This was a disgraceful and disgusting film, which started with the dead wife's blood being shown through rainwater pouring through ferns. The producers of the programme agreed with my hon. Friend's constituent that that was the least that they could do to show how the murder took place, and they took out the scene of the murder.

It is not as if that film—a faction drama mixing fact and fiction—is unique. There are similar scenes in other documentaries made in this country and elsewhere. It is an absolute abuse of a modern producer's power, and its effects were devastating on those to whom it applied.

My hon. Friend and I have the single concern that there should be sufficient provisions in the BBC and ITC codes to ensure that that does not happen again. The ITC tells us that, in its view, the new code should ensure that it does not happen again, although I have read the new code and found that some holes remain to be blocked.

One of the most chilling aspects of the new code is that it says that, in considering whether such a film should be broadcast,

"Consideration should be given to taking professional advice about the likely effects of the dramatisation. Of particular relevance would be the views of clinical psychologists specializing in this area, or of Victims Support organisations or, with the agreement of the individuals concerned, those counselling them."

Madam Deputy Speaker, can you imagine the feelings of my constituents and those of my hon. Friend, the parents of the murdered girl and the parents of the husband—who were themselves traumatised—on being told that the decision whether the film should be seen should depend on clinical psychologists and those who counsel them? It is unthinkable that it should be allowed to happen.

Does the Minister feel that enough is being done? Although my hon. Friend and I accept that the ITC has moved a long way, we are not sure that the BBC has done so. It still appears to believe that the principle of editorial freedom means that such films should not be considered until they have been shown. Amendment No. 137 is a

belt-and-braces measure, so that those involved have adequate recourse to prevent the film being shown the first time.

We can clinically and objectively debate the issues and perhaps the remedies, but we should never forget that we are dealing with desperate tragedy. In this case—there have been many similar cases in the past few years—two families were first traumatised by a vicious murder and then further devastated by the ruthless, careless men who were determined to make prurient entertainment by embellishing and exaggerating the horror that befell the families. As a result, the lives of both those families, not least the mothers of the murdered girl and of the husband, have been damaged.

The House cannot allow innocent families or mothers to be damaged and scarred, perhaps irretrievably, by those who have neither feeling nor understanding. My goodness, how my hon. Friend and I and others spent time trying to persuade the bosses of Carlton, those who were making the film and everyone who was involved that the film should not be shown, but they could not have cared less. As my hon. Friend said, the day after the adjudication by the BCC, it was decided to show the film in Australia.

In those circumstances, it is hardly surprising that we are dubious about anything that comes before the House which involves self-regulation—shoulds, maybes, mights, coulds and woulds—instead of enabling us to be sure that such a thing cannot happen again.

We believe that our amendment will achieve that and exactly that. If my hon. Friend does not mind my saying so, it is up to the Minister to prove us wrong.

Mr. Sproat: My right hon. Friend the Member for North Wiltshire (Mr. Needham) and my hon. Friend the Member for Arundel (Sir M. Marshall) know that I am extremely sympathetic to their concerns. The example of "Beyond Reason", which they cited, was especially shocking, in that the Independent Television Commission had already taken steps to deal with the problem, but the revisions to its code, especially on drama documentaries and faction, came into effect only after the programme was broadcast. The ITC was therefore unable to take action against the broadcaster. It has since, however, made clear the responsibility of its licensees in respect of programmes of this kind.

4.45 pm

Although it obviously has an important role to play in such matters, the Broadcasting Standards Commission is not a regulatory body; indeed, its independence from the regulatory framework is essential if it is effectively to perform its functions. New clause 19 would effectively, indirectly, establish the BSC as a regulator, which, by virtue merely of entertaining a complaint, regardless of whether that complaint was ultimately upheld, could prevent a broadcaster repeating the programme in question. However, although the BSC should not have such responsibilities, the ITC should, and does.

The ITC has the power under the Broadcasting Act 1990 to prevent the broadcaster, or any other licence holder, repeating a programme which it judges to be in breach of its code. The ITC has the powers, including robust sanctions, to enforce compliance. It should use them to ensure—by making crystal clear its views and the likelihood of any breach resulting in the most serious sanctions—that never again should there be a case such as that of "Beyond Reason", and certainly no repeat.

Regarding amendment No. 137, there is at present nothing to prevent an individual approaching a regulator in connection with an allegation that a broadcaster has infringed, or is likely to infringe, his or her privacy. The regulator would then be free to approach the broadcaster informally, reminding it of its responsibilities. Any subsequent breach could be met with severe penalties.

The Government do not, however, consider it appropriate for the BSC, as opposed to the ITC, to involve itself in such matters. The BSC is concerned with complaints about programmes after they have been broadcast. To play a role before that would, in effect, be to become entangled in the regulatory process. I have already explained why that is undesirable.

Moreover, although the BSC's code must be reflected in the regulators' own codes and guidelines, it is with the regulators' codes that the broadcaster is obliged to comply.

The Bill has given additional powers to the BSC, which will have an impact in that area. The code on fairness, which, as I explained, broadcasting and regulatory bodies will be obliged to reflect, will allow the BSC's acquired knowledge and experience to feed into the regulators' own expertise. In addition, the BSC will have the power to commission research into issues relating to unfair treatment and infringement of privacy, which will further add to the understanding of those issues.

My right hon. Friend the Member for North Wiltshire mentioned the BBC. The new BBC charter and agreement, which came into effect on 1 May, gives the governors specific responsibilities, equivalent to those of the ITC, to maintain standards, and those, if not fulfilled, could be subject to judicial review. The new chairman, Sir Christopher Bland, has made clear his determination to enforce those obligations. The corporation is also committed to a thorough review of the producers' guidelines, which include detailed advice on matters of privacy and fair treatment.

I believe that much has been done to prevent further programmes offending in that way, but I fully understand the fear of my right hon. and hon. Friends that that may not be enough. Although the Government do not believe that a legislative solution is called for, I hope that the regulators will take great notice of the concerns expressed today. The Government want never to see again what happened in the case of "Beyond Reason". I hope that, having heard those comments, my right hon. and hon. Friends will not press their new clause and amendment.

Sir Michael Marshall: I thank my hon. Friend the Minister of State for outlining the present position, and particularly for updating us on the BBC's consideration of those matters. I am sorry that he did not feel able to address the thrust of the arguments that we put forward. If an aggrieved person can raise any such matter with the BBC or the ITC—and they have assured us that they will take such concerns into account—it is a shame that we do not have something in the Bill that reiterates the significance of those activities and alerts members of the public to what is available to them at law.

I recognise that there are genuine technical difficulties in drafting something that becomes statute law and that meets those situations precisely. I have detected sympathy

[Sir Michael Marshall]

in this regard from hon. Members on both sides of the House. Hon. Members' opinions will go on the record, and I hope that they influence the regulatory authorities when they look at those matters.

I ask my hon. Friend the Minister to take on board the need to keep the matter under constant review. It is all very well for us to create a fuss, but there is the danger that the issue will slip in a year or two. There is no certainty in such matters. I recognise that my hon. Friend and the regulatory bodies have moved in that regard; we shall do our part and keep an eye on those matters.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 20

USE OF CHILDREN IN TELEVISION ADVERTISEMENTS

'.—(1) Section 9 of the Broadcasting Act 1990 is amended as follows.

(2) After subsection (2) there shall be inserted—

"(2A) The Commission shall take steps to secure that there is included in any code for the time being in force under subsection (1) above a provision prohibiting in any advertisement involving a child the use of voice-over technique or any similar method which has the effect of attributing to that child words or thoughts which, having regard to their sexual or other content, are inappropriate in a child of the age depicted in the advertisement in question.

(2B) For the purposes of subsection (2A) above a child is a person who has not yet attained ten years of age.

(2C) "Inappropriate" in subsection (2A) above shall have the meaning assigned to it in guidance to be issued by the Commission as part of the code issued under subsection (1).".'.—*[Mr. Tony Banks.]*

Brought up, and read the First time.

Mr. Tony Banks (Newham, North-West): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss amendment No. 50, in clause 116, page 100, line 36, at end insert—

'(d) the effects on viewers and listeners of advertising.'.

Mr. Banks: New clause 20 has arisen because of a series of television advertisements by Safeway supermarkets. I shall explain the advertisements for the benefit of hon. Members who have not seen them—I am not recommending that they should. Two children—Harry and Molly—are used in the advertisement. In real life, the actor Harry is four and the actress Molly is three—if we can call children of that age actors. In the advertisement, they meet in a Safeway creche and, after some dialogue, an actor's voice-over has Harry say, "I suppose a snog's out of the question?" and Molly's voice-over replies, "On a first date? What sort of a girl does he think I am?"

Some people believe that I am making a fuss and that there are better things for me to get on with—I deny that. Other people have said that the advertisement is cute—which is what I have heard from the advertising agency but, of course, it would say that. I believe that the advertisement is very tacky. After seeing the advertisement a couple of times, I spoke to some hon. Members from both sides of the House. I have tabled an early-day motion on the matter.

Safeway does not give a toss about this because it is simply trying to sell more groceries. If hon. Members look at the terms of early-day motion 911—it is signed by 26 Members of Parliament, from all parties—they will see that there are more serious implications involved in this genre of advertising. For example, if this advertisement had used two adults—and not voice-overs—who met in a Safeway supermarket and the man had said to the woman, "I suppose a snog's out of the question?" and she responded in the way that Molly does, there would have been far more protest. Safeway would have considered that to be vulgar, unacceptable and sexist. It would never have contemplated using such an advertisement and no copy would have been submitted by any advertising agency.

Why is it that language that would be unacceptable if it came directly out of the mouths of adults is somehow acceptable when it is voiced-over on two children, one aged four and the other aged three? I am not known for being a spoilsport, for being a party pooper or for being particularly prurient. I find this sort of thing offensive and exploitative. What is cute about that sort of language coming out of the mouths of children—or purporting to come out of the mouths of children? Their innocence will be lost soon enough—we do not have to hasten that day in advertisements.

What we see in this technique is nothing less than cynical and exploitative. The advertisement is not about showing children being cute and sweet; it is about selling groceries—that is the bottom line. The advertisement is not about promoting the welfare of children; it is about selling groceries. I am sure that Safeway can find other ways to do that.

At one level, such techniques by the advertising agencies play to a silly sentimentality among us all. However, at another level, they run the risk of encouraging those who molest children, who like to convince themselves that children under five have advanced sexual thoughts. That was the fear that I had when I saw the advertisement, but sometimes even I wonder whether I am going over the top. Therefore, I was interested to read an article that backed me up. I refer to an article that appeared in *The Independent on Sunday* of 26 May that quotes Susan Hope-Borland, a psychologist who has worked with paedophiles for more than 10 years. It states:

"She fears these apparently harmless and amusing scenes will in fact serve to reinforce paedophiles' grossly distorted beliefs about normal childhood behaviour.

'The implied message in this advert will, unfortunately, fit with the thought processes of many paedophiles,' said Ms Hope-Borland, who works with the North Wales Forensic Psychiatric Service.

'Paedophiles interpret normal gestures by children as deliberate acts of provocation; they believe that children are sexually aware, and this cognitive distortion is used to justify their behaviour. This kind of advert is certainly not helpful and could be dangerous.'"

They are not my words, but the words of someone who has worked with paedophiles. When we realise just how abhorrent paedophilia is and how disgusted we feel by the actions of such people—indeed, I refer to the Government's recent decision in relation to a register of such people—we have to take this sort of matter seriously. I do not think I am over-reacting on this occasion.

Safeway's advertisement agency, Bates Dorland, naturally denied such a claim—of course, it would. Mr. Adam Leigh, the account director, has said how few complaints the agency has received about the advertisement—in fact, it received more complaints when, in an earlier ad, Harry said that he did not believe in Father Christmas. Mr. Leigh even had the temerity—it was insulting—to suggest that such criticisms reflect more on the accusers than on the advertising agency. It might be that Mr. Leigh does not have much of a conscience, but if he cannot accept that there could be dangers as a result of the advertisement, he is as witless as he is exploitative of children.

I have looked at the ITC code to see whether the advertisements could fall foul of the code in relation to the use of children. Paragraph 13 of the code states:

"Advertisements must not portray children in a sexually provocative manner."

Of course, the loophole is that adults are used to put sexual innuendo into the dialogue—it does not come directly out of the mouths of the children. The agency is able to get around the ITC's code by using this technique. The loophole must be closed.

I know that there is sympathy for my new clause. I hope that the Minister will be helpful in his reply. On this occasion, I feel that I am reflecting the views of many hon. Members—this is not just an over-reaction on my part. I have identified a serious matter. I am sure that the Minister will take it seriously.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I wish to address amendment No. 50—which is grouped with new clause 20—which touches on a similar area of concern. The hon. Member for Newham, North–West (Mr. Banks) has referred to the protection of children, which is a large part of my motivation in tabling amendment No. 50. I also tabled a number of other amendments which were not selected. I believe that the competence of the Broadcasting Standards Commission should be extended to include advertising. I would like to see the BSC empowered to adjudicate on complaints about advertising and other related matters. However, the amendment simply gives the BSC the power and the responsibility to conduct research into the effects of advertising on listeners and viewers.

I do not want to get into a debate about whether the BSC should exist or to start a competition between the BSC and the Independent Television Commission. The reality is that the BSC exists and, as its job is to deal with broadcasting standards, I believe that it should also address the question of television advertising standards. After all, advertising is as much a part of television as the programmes and advertising standards are of equal concern. People should be able to complain about advertisements to the body that is responsible for monitoring broadcasting standards.

As the hon. Member for Newham, North-West emphasised, advertising is enormously influential—and not just in relation to which brand of product a purchaser selects. Advertising affects whether a product is purchased and in what quantities it is consumed by individuals and by society. It is important to emphasise that most advertising is not concerned with providing information, giving details about the product, or with explaining—by rational and evidential means—the virtues of a particular brand over other brands.

5 pm

Advertising is essentially manipulative: it employs great creativity for decadent purposes. It works by establishing associations with ideas. It encourages fantasy and it appeals to a sense of status, emphasising ownership as a status symbol. It appeals to hedonism and many advertisements have eroticism at their heart. On the whole, advertising is a means of encouraging increased consumption: it is the linchpin of consumerism and the consumerist economy.

I am particularly concerned about the effect of advertising on children. It is not difficult to argue that the manipulation of children for commercial exploitation is offensive. I believe that, by encouraging consumerism among children, we may be creating significant problems for the future. Sustainability will require husbanding the world's resources rather than squandering them. One hopes that thrift, rather than profligacy, will become a virtue in the future.

Appendix 1 of the 1995 ITC code recognises the impact of advertising on children by prohibiting the advertising of certain products. For example, it prohibits the advertising of alcoholic drinks, liqueur chocolates, matches, medicines, vitamins and certain films before the 9 o'clock threshold. The code states:

"Advertisements must not exhort children to purchase or to ask their parents or others to make enquiries or purchases."

Rule No. 7 states:

"No advertisement may lead children to believe that if they do not have or use the product or service advertised they will be inferior in some way to other children or liable to be held in contempt or ridicule."

If one applied those rules literally, one would find that most advertising complied with them. In reality, parents know the pressure that their children place upon them as a result of the influence of advertising. It is clear that much advertising has the very effect on children that the advertising code aims to prevent.

Advertising should be rigorously examined and researched—that is what the amendment calls for. I would particularly like to see that principle applied to advertising that encourages children to consume unhealthy food. I am sure that the Secretary of State, who announced the Government's policy on healthy eating, would welcome that move. It has been suggested that the code should prohibit advertising that encourages excessive consumption of fatty and sugary foods by children.

The National Food Alliance has expressed considerable concern about that matter and its research has confirmed many of our fears. It found that children's diets are too high in fat, sugar and salt and too low in fibre. It found also that advertising on children's television is dominated by commercials for sweet and/or fatty foods and that advertising can have a powerful effect on children's behaviour, specifically in relation to food and drink. That is a clear recognition of the power of advertising and its influence on children's behaviour. That is a serious matter.

Mrs. Anne Campbell (Cambridge): Does the hon. Gentleman agree that, apart from advertising, a major influence on children's diets is the composition of school

[Mrs. Anne Campbell]

meals? Does he agree also that reintroducing regulations on the contents of school meals would do a great deal to improve children's diets?

Mr. Dafis: I agree strongly, but I suggest that we are straying wide of the subject for debate. As a schoolteacher, I remember being horrified when children in the dinner queue were presented with trayfuls of sweets. I thought that that was a thoroughly bad practice.

However, today I am concerned about advertising. Encouraging unhealthy eating is a serious problem. The National Food Alliance points out that 25 per cent. of British women—it does not comment about men—will be obese by 2005. It suggests a number of amendments to the ITC code. I would like those amendments to be examined as part of the research that the BSC should carry out in relation to the influence of advertising on the public, and specifically on children.

The National Food Alliance recommendations are supported by an impressive array of more than 50 organisations, including the Association of Community Health Councils for England and Wales, the British Dietetic Association, the Institute of Environmental Health Officers, the Low Pay Unit, the National Farmers Union and the British Heart Foundation. The recommendations were published in July 1994, but they were not taken on board in the ITC code that was published in autumn 1995. The issue of food advertising is only one reason for tabling the amendment. I believe that there are plenty more reasons and that the amendment deserves serious consideration.

Mr. Sproat: I turn first to the speech by the hon. Member for Newham, North-West (Mr. Banks). I understand his concerns about the potential exploitation of children in advertising and I know that the Safeway case that he cited disgusted many people. Both the Independent Television Commission and the Broadcasting Standards Council received several complaints that the advertisement portrayed children in an inappropriate manner. The BSC has yet to deliver its findings on the complaints, but apparently the ITC did not find that the tone of the advertisement was sexually provocative or likely to encourage paedophilia. However, as I understand it, that was not the hon. Gentleman's charge: he objected to the advertisement's portrayal of children in a sexual situation. I hope that the ITC will view the hon. Gentleman's speech in that light and I shall certainly bring that point to its attention.

I agree that advertising must not sexualise children. The ITC code of advertising standards and practice contains the clear direction that

"Advertisements must not portray children in a sexually provocative manner."

That is not the hon. Gentleman's claim—he would complain if the advertisement did that. He is complaining that the advertisement associates children with a sexual encounter between adults and that that is offensive. It is open to the ITC to strengthen its code in light of its own experiences and concerns and that of others, and it may now wish to do so. However, I do not believe that the example cited by the hon. Gentleman represents a trend in advertising that merits a specific legislative measure of this kind. I certainly hope that no such trend develops.

As I have said, I share the deep unease of the hon. Member for Newham, North–West about what took place and I shall draw his remarks, which echo the opinions of many hon. Members and others, firmly and specifically to the ITC's attention. Following that reassurance, I hope that the hon. Member will withdraw new clause 20.

I shall turn now to amendment No. 50. Section 12(1)(a) of the Broadcasting Act 1990 places a specific responsibility on the ITC to carry out or commission research into the effects of programmes, including advertisements. The Broadcasting Standards Commission may also, under the Bill, commission research into the effects of advertising to the extent that the research relates to matters falling within its remit, including issues of standards, fairness or privacy. The Government do not however feel that it would be appropriate to extend that power to cover issues relating to the effects of advertising generally. I hope, therefore, that in the light of that explanation the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) will not press amendment No. 50.

Mr. Tony Banks: I thank the Minister for what he has said. I know that he takes this matter seriously, as I do. I consider new clause 20 to be a shot across the bows of the advertising agency and the advertiser. A trend has not yet developed and I hope that, after our short debate and after the Minister has acted as he has undertaken to do, we will not see any such trend. I shall personally continue to monitor the situation, as will others. Under the circumstances and with the assurances that I have been given, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 22

MATTERS RELATING TO CONDITIONAL ACCESS SYSTEMS

'.—(1) Any person who operates a conditional access system shall be required to first obtain from the Commission a licence for the operating of such a system.

(2) The Commission may after consultation with the Director grant a licence for the operating of a conditional access system.

(3) A licence granted under this section shall be in writing and shall continue in force for such period as may be specified in or determined by or under the licence.

(4) A licence granted under this section shall include conditions requiring—

(a) payment to the Commission on the grant of the licence or payments during the currency of the licence (or both) as may be determined by or under the licence;

(b) any person who is authorised by the licence to operate a conditional access system to furnish to the Commission, in such manner and at such times as they may reasonably require, such documents, accounts, forecasts, returns or other information as they may reasonably require;

(c) compliance with any direction given by the Commission as to such matters as are specified in the licence or are of a description so specified;

(d) determination by the Commission of such questions arising under the licence as are specified in the licence or are of a description so specified;

(e) any person who is authorised by the licence to operate a conditional access system to provide services to all relevant television programme service provides without undue preference or discrimination; and

(f) compliance with such further conditions as appear to the Commission to be requisite or expedient having regard to the duties imposed on them by subsection (7) below.

(5) Subsection 4(e) shall not apply to the holder of a licence under Section 72 of the 1990 Act to provide local delivery services.

(6) Any sums received by the Commission under this section shall be paid into the Consolidated Fund.

(7) It shall be the duty of the Commission to exercise their functions in the grant of licences hereunder in the manner which they consider is best calculated:

(a) to ensure fair and effective competition between persons engaged in the provision of conditional access systems;

(b) to promote the interests of consumers, purchasers and other users in the United Kingdom of conditional access systems and to ensure that access to such systems are fair and reasonable.

(8) The holding by any person of a licence authorising the provision of a conditional access system shall not relieve him of any requirement to hold a licence under section 7 of the Telecommunications Act 1984 in connection with the provision of such a system.

(9) Any person who operates a conditional access system within the United Kingdom shall be guilty of an offence unless he is authorised to operate such a system by licence granted hereunder.

(10) A person guilty of an offence under this section shall be liable:

(a) on summary conviction to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to a fine.

(11) No proceeding in respect of an offence under this section shall be instituted except by or on behalf of the Commission.

(12) Without prejudice to subsection (9) compliance with this section shall be enforceable by civil proceedings for an injunction or interdict or other appropriate relief.'.—*[Dr. Moonie.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Dr. Moonie.]*

Madam Deputy Speaker: With this, it will be convenient to discuss the following: New clause 47—*Licensing of conditional access technology*—

'After section 45 of the 1990 Act there shall be inserted the following section:—

"45B (1) It shall be the duty of the relevant authority to ensure that any person operating a conditional access system for the digital transmission of a domestic or non domestic satellite service, or any digital terrestrial service for general reception

(a) declares in advance of operating the conditional access system the type of system to be used, and

(b) offers to licence, or as the case may be, sub–licence, the industrial and intellectual property rights to all manufacturers and broadcasters on fair, reasonable, and non–discriminatory terms.

(2) In this section the "intellectual and industrial property rights" means those rights allowing for:

(a) the manufacture of a decoding box which is capable of decoding entitlement management information transmitted with that service, and

(b) the broadcast of encrypted television signals and entitlement management information by other broadcasters using that system.

(3) In this section 'the relevant authority' means the Director General of Telecommunications.".'.

Amendment No. 127, in clause 35, page 29, line 44, at end insert—

' "Conditional access system" means any telecommunications systems or telecommunications apparatus designed or adapted for the origination, initial transmission and final reception of signals for the actuation, operation or control from another place of other telecommunications apparatus by means of which signals comprising encrypted television programme services in either analogue or digital form (or any combination thereof) are broadcast or transmitted for general reception and received and decrypted.'.

Amendment No. 128, in page 30, line 3, at end insert—

' "Director" means the Director General of Telecommunications.'.

Mr. Robert Maclennan (Caithness and Sutherland): We dealt with issues cognate to new clause 47 yesterday and it deals with the licensing of conditional access technology—the technology used at the receiving end in a set-top box. Some of the issues that we considered yesterday do not bear repeating, but because new clause 47 deals with a matter of great concern, especially for the consumer organisations, it is right to raise the issue explicitly again.

New clause 47 has the support of the ITC, the BBC, the Voice of the Listener and Viewer, the National Consumer Council and the Consumers Association. In Committee, the Minister recognised that the issue was perhaps the most serious and important of the Bill. I do not seek, through the new clause, to mandate a single conditional access system. It would provide that the operators of conditional access systems would have an obligation to license the key industrial and intellectual property on fair and reasonable terms so that other manufacturers could produce a dual-capable box that could access signals from both digital-terrestrial and digital-satellite transmissions. Proprietary systems would still emerge and their operators would be free to place them on the market—and even to subsidise them heavily, as seems likely—but consumers would still have the option to buy in the high street a box that includes the key technology needed to access the full range of digital services.

5.15 pm

It has been suggested that licensing would be expropriatory in some way. I fail to understand how that charge can be made because new clause 47 provides that the licensing would take place on fair and reasonable terms or, in other words, on payment of a fee.

We cannot delay on this issue because we would hold up the development of digital television and sap consumer confidence. We should move clearly and quickly to take account of the problem. New clause 47 would simply remove a barrier to the operation of the market and, if one system is successful, ensure that service operators cannot be prevented from adopting that system.

The Minister for Science and Technology (Mr. Ian Taylor): Some of the elements of new clauses 22 and 47 were touched on last night and, therefore, I too will refrain from going through the detail again. I realise that the House wants to make swift progress.

New clause 22 would extend the conditional access regulations to analogue transmissions. In my judgment, that would not be a wise move. The analogue market is

[Mr. Ian Taylor]

likely to be constrained by the availability of transponder capacity and the market will probably decline as the push to digital happens. There will be an incentive to be first in the market and the new clause would, therefore, not be appropriate on technical grounds. It would also be inappropriate on market grounds. A stable series of investments were made in the analogue market under a particular regulatory environment and it would not be sensible to change that regulatory environment simply because the Bill provides a legislative platform. Any changes would not engender confidence in long-term investments by market players, who have a right to expect a proper return. The difference in conditional access in the digital market is that the whole market will require the conditional access systems. In the analogue market, the systems are principally required by those broadcasting via satellite.

New clause 22 would also switch the conditional licensing system to the ITC whereas our proposals will hand it to the Office of Telecommunications under the Telecommunications Act 1984. Licences under that Act will be required in any event by people using conditional access systems. We do not believe in double jeopardy and, in our judgment, Oftel is the appropriate authority because it is used to dealing with detailed economic regulations. Telecommunications lines will also often be one of the means of broadcasting. The Government will therefore resist new clause 22.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) mentioned new clause 47. I dealt with some of the issues last night, but I understand the hon. Gentleman's motivation. We want to create certainty in the market and we do not want problems between different systems. The mandatory licensing of all conditional access technology appears, on the surface, to be attractive. However, as I explained to the House last night, the European directive and our regulations would meet the problems that most concern the hon. Gentleman. Broadcasters will be able to interconnect with conditional access systems under our proposals through the use of simul-crypt. The Bill will link the technology to interconnection rather than introduce further licensing conditions which would be more likely to create delay. I hope that the hon. Gentleman will withdraw his new clause.

Mr. Maclennan: I do not want to delay the House, but I would be grateful if the Minister would explain how his system would prevent the emergence of a single powerful player and the consequent limited choice and constantly increasing prices for the consumer. How will the technology stop that?

Mr. Taylor: The technology comes within the context of the overall competitive regulatory environment, as I explained to the House yesterday and is also made clear in the regulations that I tabled on 26 June. The framework of competition law obliges fair access for all broadcasters to the systems and the regulatory and competition authorities can take certain steps. That clear framework will enable us to encourage the necessary private sector investment to come into the market. The technical prospects behind the process of simul-crypting will enable the transmission signal to contain a series of instructions that will enable the decoder to react to the different broadcasters. Therefore, through simul-crypt, the technology enables the operation to work, and the regulatory framework of competition law means that no one can resist the application of a broadcaster to send a transmission signal. That is a sufficient framework.

We are talking about a system for the future into which, as of this date, no one has put any money. My hon. Friend the Minister of State has spent hours in Committee attempting to get the framework right. The Bill is designed to provide a clear and solid framework so that people are encouraged to come forward with proposals for investing risk capital in the industry.

Mrs. Anne Campbell: The market solution which the Government are proposing led, with the introduction of video recorders, to competition between Betamax and VHS. I was one of the unfortunates who bought Betamax, believing it to be a superior technical solution, but, in the end, I had to throw it away because I could not get the videos to play on it. Will a similar situation arise in this case? Shall I buy a set-top box only to find that I shall have to throw it away after six months because I cannot use it?

Mr. Taylor: That is the first time in the House that the hon. Lady has, to my knowledge, admitted making a technological error. There is a first even at this stage of the Bill.

Manufacturers and other parties in the industry are well aware of the Betamax problem. That is why standards committees work constantly to ensure that such mistakes do not occur. Ultimately, a commercial judgment has to be made in the marketplace. It is not for me to tell any company that it should not try to go down a particular avenue if it believes that that will give a reward. If it has a dominant market position and abuses it, the competition regulations will come into force. That is the right way to proceed. Otherwise the Government will have to put up the risk capital. I am sure that the hon. Lady would not find much favour from the shadow Chancellor if she were to propose that.

The simple reality is that no one has as yet put the money on the table to enable us to make the transfer to digital satellite or digital terrestrial television. The Bill must encourage private sector investment as much as possible. Any ill thought through regulations, or any attempt to be over-prescriptive, is likely to have a counteractive effect.

Our proposals use a competition framework and then we have found a way, through technology, to stimulate convergence.

Ms Eagle *rose—*

Mr. Taylor: I am under great pressure, not least from those on the Opposition Front Bench, to make progress, so I shall not take any further interventions. I look to the hon. Member for Kirkcaldy (Dr. Moonie) to withdraw the new clause.

Dr. Moonie: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 24

APPLICATION OF RESTRICTIVE TRADE PRACTICES ACT 1976 TO SALE OR TRANSFER OF BROADCASTING RIGHTS FOR SPORTS EVENTS

'.—(1) Any agreement to which this section applies shall be an excepted agreement for the purposes of Schedule 3 to the Restrictive Trade Practices Act 1976.

(2) This section shall apply to any agreement by or among persons engaging in or conducting the professional team sport of association football, or any other professional sport which the Secretary of State may separately by regulations prescribe, by which any constituent league or other body in that sport sells or otherwise transfers all or any part of the rights of that league's participants in respect of the broadcasting of games engaged in or conducted by those clubs in events organised by such a league or other body.

(3) The power to make regulations under this section shall be exercised by statutory instrument and a statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament'.—*[Mr. Mellor.]*

Brought up, and read the First time.

Mr. David Mellor (Putney): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this, it will be convenient to discuss amendment No. 146, in schedule 7, page 155, line 3, at end insert—*'Restrictive Trade Practices Act 1976—*

24A. In Schedule 3 of the Restrictive Trade Practices Act 1976 there shall at the end be inserted—

"Agreements for broadcasting of association football or other prescribed sports

10. This Act does not apply to an agreement falling within section (*Application of Restrictive Trade Practices Act 1976 to sale or transfer of broadcasting rights for sports events*) of the Broadcasting Act 1996".'.

Mr. Mellor: I, too, do not wish to detain the House too long, so I shall be brief. I do want to say, however—I hope without any self-aggrandisement—that brief though my contribution and the debate may be, it raises an issue of fundamental importance to the coverage of televised sport in Britain. I am strengthened in that belief by the fact that one of the attractive features of our debates on broadcasting is that it is possible for us to set to one side the narrow partisanship that has figured in so many debates in this place and to talk together as sensible, reasonable adults, sharing our interests and experience of the world.

Many hon. Members present today are deeply committed to sport. I am proud, therefore, that my co-sponsor of the new clause should be the hon. Member for Kirkcaldy (Dr. Moonie), and to see others in their place, such as the hon. Member for Bassetlaw (Mr. Ashton), a director of Sheffield Wednesday, who understands from his own practical experience of football in just what a curious situation we find ourselves, with the threat of what I regard—I speak without any exaggeration from 11 years' experience as a Minister and nearly 20 years in the House—as the most foolish intervention by a regulator that I have ever encountered.

That intervention is the decision of the Director General of Fair Trading to refer the right of Britain's Premier league collectively to sell its television rights to a television station. That has nothing to do with the merits of Sky against the BBC or ITV; it is to do with the fundamental right of sports organisations to band together in a league to sell their product collectively as the only way of making sense of the ability to televise, for the enjoyment of a wider public, the games that they play.

We have a situation that Alice in Wonderland would have difficulty embracing. Lewis Carroll at his most fanciful could not have imagined the situation that arose in last night's debate on sports rights, in which my hon. Friend the Minister of State properly said that the basic principle must be that sporting bodies have a right to sell their broadcasting rights to whomsoever they choose.

We have chosen—I approve of this—to trench on that right by having the crown jewels of sport. I warmly endorse, and was one of those who worked for, the further changes that are now part of the Bill. But how can the sincere and proper words of my hon. Friend the Minister of State sit with the ludicrous situation of a regulator, who is part of the Government machine, condemning the Premier league for doing precisely that?

Again, this is a moment that Lewis Carroll would appreciate. At the same time as politicians are condemning the Rugby Union for doing exactly what the Director General of Fair Trading wants, the director general is trying to translate the chaos that currently exists in international rugby union into the world of football.

What is the nub of the point that lay behind all the condemnatory words that were said yesterday about the Rugby Football Union? It is that the English Rugby Football Union has chosen to break away from the other four and to sell its television rights. It has said, "To hell with the rest of you; we are having our own deal." The response to that will be, "In that case, you don't play in our league." There is then chaos, confusion and anarchy.

In order to prevent that in Britain, for years now, long before the formation of the Premier league, the Football League had the right, and the Premier league asserts the right, to say, "Here is our fixture list. These are available for television transmission and we have the right to sell fixtures collectively." It is not as though it is a cartel. Teams remain at the top not because they choose to do so but because their results entitle them to do so. Over several years, the membership of the league changes, so it is not a cartel.

Here we have a curious situation. In the United States, under anti-trust laws, American regulatory authorities are restricted from taking nominated sporting leagues to task for selling their product as an entire package. Everyone knows that unless that happens, chaos and confusion will be the inevitable result.

If Manchester United has its own television contract and Chelsea has another, how on earth will fixtures between Chelsea and Manchester be managed if one says that its television contract gives its company the right to transmit a service and the other says to the contrary? That would be ludicrous. I cannot imagine how even some pointy-headed quasi-intellectual in the Office of Fair Trading could seriously believe that that lies within the world of practical reality.

The tragedy is that that threatens football's future just at a time when a situation for which we have all prayed has begun to happen: football has at long last managed to win through, to get resources flowing into the game and to bring in on the back of those resources international

[Mr. Mellor]

players so that, for the first time in the experience of football spectators, great players from the continent are playing in our league rather than avoiding it like the plague. We are net importers of players, not net exporters. Every club benefits.

Last season, the distribution of the spoils from television coverage showed that although Newcastle walked off with just over £3 million and Manchester United with just under £3 million, the relegated clubs did well too—Queen's Park Rangers received £1.3 million and Bolton Wanderers received £1.2 million.

In selling the product as an entire package, the Premier league insists, first, that a highlights package is available on BBC—it is one of the most popular weekend programmes—and, secondly, that those who win the right to show live matches must show a minimum of three games featuring each team in the league. Otherwise, only the most fashionable clubs would have a television contract and the rest would have nothing, making it impossible to spread resources sensibly through the game.

I shall not detain the House long as the facts speak for themselves, but I should like to make a couple of points in conclusion. First, I hope that the restrictive trade practices court will reject the proposal with contumely. Every time lawyers are dragged into the matter, there are expenses. I know that I am a devil denouncing sin, but from practical experience of sin I should say that the Premier league confidently anticipates that it will have to spend some £2 million to £3 million on legal advice even if the proposal is rejected.

5.30 pm

I am glad that hon. Friend the Minister for Science and Technology, for whom I have the highest regard, has returned to his place. Events of the past few weeks have shown that the world of football is not to be trifled with; it commands a good deal more support than many Government Departments, whoever manages them. The suspicion remains that if the Department of Trade and Industry had taken a firmer line with the Office of Fair Trading this nonsense may have been avoided.

When the Department of Trade and Industry presented a public face in the world of football, the special adviser charged with meeting representatives of the Premier league sounded like a crazed ideologue even beyond my understanding of the furthest, most exotic fringes of the right wing of the Conservative party. Such people should be suppressed. They simply reduce confidence in the Government at a time when confidence should not be further diminished, at least in the interests of Conservative Members.

The Department of Trade and Industry should have stamped on all this nonsense. It is absolutely clear that if that nonsense had the force of law it would totally destroy our great national game and the pleasure that millions of people derive from it. I wish to give my hon. Friend the Minister of State, Department of National Heritage—a Department whose understanding of broadcasting may be more profound than that which prevails in the Department of Trade and Industry—the opportunity to say what the Government really think about it. That is why I took the liberty of proposing the new clause today.

Mr. Ashton: The right hon. and learned Member for Putney (Mr. Mellor) made an excellent speech. I should like to support him in slightly more detail, although I shall not detain the House long. I should declare an interest as a director of Sheffield Wednesday, although that job is unremunerated. Nevertheless, the club has an interest in these matters.

The Sky package deal that ends next season is fairly clear. Sky shows 60 games a year, which guarantees that at least three and probably four games of each club are televised. Under the old system operated by the BBC and the ITV companies, many first division clubs such as Sheffield United or Oldham never appeared on television. Now, each club is guaranteed a fixed number of games, even if they are shown on a Sunday or a Monday. Cash is paid for each place in the league, so that the bottom club gets £50,000, the next one gets £100,000 and so on. Obviously, clubs at the top of the league such as Manchester United and Newcastle make a great deal more money than others, but that is acceptable to every member of the league.

Some of the cash that has been negotiated under the new deal will be spent on coaching. Local Football Association bodies have been told that someone who cannot afford Sky can at least see the BBC highlights on Saturday night. Clubs receive a relatively small fee for that. My right hon. Friend the Member for Copeland (Dr. Cunningham) and I watched Sheffield Wednesday play Newcastle. The game was shown on "Match of the Day" for 25 minutes, yet each club received only £7,000. The BBC paid £1 million a hour for "Pride and Prejudice", which had a far smaller television audience, so the value for money that football provides for sports fans and for the BBC is absolutely clear. It is an excellent scheme that has worked well for three or four years.

Now, however, the cable operators have had a different idea. Instead of negotiating a package deal with Sky, they want to negotiate separate deals with individual clubs. Obviously, the deal that they will negotiate with Manchester United or Newcastle will be far more valuable than the deal with Sheffield Wednesday or Wimbledon, but what will happen when two differently ranked teams play each other? The cable operators will not explain the position, but there will obviously be chaos. It will not work out.

To the astonishment of everybody, the then Director General of Fair Trading, Sir Bryan Carsberg, who was about to retire, objected to the Sky deal. Everyone thought that it was one of his enthusiasms, but his concerns were echoed by his successor, Mr. John Bridgeman, who referred the matter to the restrictive trade practices court and asked it to examine whether the Premier league—not just the deal with Sky, but the rule book as well—was operating as a cartel. If the restrictive trade practices court rules that the Premier league and other leagues are operating as a cartel, football on television will be plunged into chaos.

That will affect not only the clubs, but the players. The players' union has agreed with the clubs that, unlike politicians, who sometimes get paid for appearing on television, players will not receive individual payments for television appearances. The players have agreed to accept a percentage of the Sky money that goes to the clubs, and that money goes to the players' union. It is used to train players, to pay for their university education when they finish their football careers or to help players who suffer a serious injury and have to retire from the game at 23 or 24. It is used for beneficial purposes.

If the copyright belonged to the player or the player's agent, an agent could say, "You cannot show the goal of the month without paying Cantona £1,000 and a repeat fee of £250 every time it is shown". The goals in the UEFA tournament could not be shown at any other time without constant repeat fees having to be paid, just as Andrew Lloyd Webber receives royalties every time anyone plays his music. It would be an absolute shambles. Unless the Government examine the clause carefully, the entire system will be thrown into Hollywood-type negotiations.

As the right hon. and learned Member for Putney said, football is now a great worldwide business. I accompanied Mr. Rick Parry, chief executive of the Premier league, to the Department of Trade and Industry—with respect to the Minister of State, Department of National Heritage, it is also a matter for the Department of Trade and Industry.

The Minister for Competition and Consumer Affairs was most sympathetic. We pointed out that the President of the Board of Trade went to China with the England team because of the trade possibilities. If England want to play Chile, Chile will play at Wembley for nothing, but will require a fee of £250,000 to play at Manchester. The reason is simple. When Chile play at Wembley, there will be exhibitions and embassies will host trade delegations. We flew a planeload of business men to China when the England team played there.

There are massive trade advantages to be gained. Sky makes deals not for fun but because they sell the game around the world. Last Thursday, a delegation from Thailand visited the Select Committee. My hon. Friend the Member for Wigan (Mr. Stott) was there. The delegation was most enthusiastic about British football.

British football is fast and exciting and everybody loves watching it on television. Other countries tend to play it like chess. They make 25 sideways passes and 15 backwards passes and bore everybody stiff. Our teams do not do that; they entertain. That is why British football sells around the world. It is a great money earner and helps our export trade. The current proposal puts all that business in jeopardy, so we are asking the Minister to accept our reasonable amendment.

The European Competition Commissioner, Mr. Karel van Miert, is strongly in favour of the existing system—the governing bodies' right to sell centrally. He is not a particular friend of British football as he opposed the Bosman regulations on player transfer deals and supported something that was not so good for football. On this issue, however, he supports the present set-up as being fair competition and in the best interests of the industry.

From the point of view of his own Department, the DTI, the Minister for Science and Technology would be well advised to discuss the new clause with some of his colleagues. He should accept, as the American sporting bodies have accepted, that a group of teams is not a cartel. Those teams compete with each other, and can be relegated. That is true of all leagues. Three teams may go down every year, and three may come up. It is not a case of a finite number of teams co-operating to extract the maximum profit; it is competition at the highest level, and as such it should be allowed to continue.

Mr. Brian Wilson (Cunninghame, North): I declare a modest interest, as unpaid parliamentary adviser to the Scottish Professional Footballers Association. I support the new clause. I want to pick up a point made by my hon. Friend the Member for Bassetlaw (Mr. Ashton), but, before doing so, to disagree with what he said about the Bosman case. I think that its outcome was good for football.

The right hon. and learned Member for Putney (Mr. Mellor) rightly said that all teams benefit from television rights, but my hon. Friend the Member for Bassetlaw was also correct in pointing out that the Professional Footballers Association in England also benefits significantly from such rights and from the principle, established some 30 years ago, of enabling it to secure a percentage of what is paid by television companies. As a result, the association has been able to do a fantastic job for players.

We are not talking just about the big earners; we are talking about jobbing professionals at all levels of the game, most of whom do not go on to stardom, fame and fortune. After a few years, many find that their football careers are behind them. That is why the role of the players' associations is so important. They must be given the money to enable them to do their job properly, as they have been in England for the past 30 years.

I take account of the arguments advanced by the clubs, but I hope that in future the rights of players' associations to benefit from all the money that is flowing into the game will be statutorily underpinned. It would be a supreme irony if more and more money went into the game from the television companies, while the hard-earned rights that the players' associations have built up over the years were eroded by the clubs that were gaining increased funds from television rights. That is a simple point. Unfortunately, it cannot be debated in the context of a new clause that has not been selected, but I hope that hon. Members on both sides of the House will accept that, while football could arguably continue without directors or even commentators, the one group of people without whom it could not continue is the players. If all this money is flowing into the game, it is right that players at all levels should benefit through their associations.

Mr. Tom Pendry (Stalybridge and Hyde): Opposition Members are pleased to be able to support the new clause tabled by the right hon. and learned Member for Putney (Mr. Mellor). Along with the accompanying amendment, it exempts football—and any other sport that the Secretary of State may add—from the provisions of the Restrictive Practices Act 1976.

As the right hon. and learned Gentleman pointed out, this new clause and others result directly from the Office of Fair Trading's decision to refer the Premier league to the restrictive practices court. According to the OFT, the league is acting as a cartel in the sale of broadcasting rights. Many hon. Members on both sides of the House feel that it ignores the fact that, as my hon. Friend the Member for Bassetlaw (Mr. Ashton) pointed out, the composition of the league is constantly changing through promotion and relegation: over a five-year period, some 75 per cent. of its membership may have changed. As the Minister knows, I raised the matter with him in a letter on 15 February, in which I urged the Government to consider a measure such as new clause 24. Unfortunately the Minister was not able to respond to my request, but the House now has an opportunity to vote on the issue. I hope that it will support the new clause.

[Mr. Tom Pendry]

The OFT's decision is bizarre, and it is odd that it took it so long to make up its mind. The Premier league rules are the same as those of the Football League, which has been in business since 1888. They are also very similar to the rules of most other team sports in which a collective negotiation of television rights is at stake. God alone knows why the Premier league was picked out.

As the right hon. and learned Member for Putney pointed out, the decision will have severe consequences, not just for football but for all sports in which a governing body acts in the collective name of clubs to sell rights. I believe that the OFT is considering a further 18 such deals involving major sports. We may not always agree with the deals that are struck by those sports, but I am sure that hon. Members will agree that any change to the current system of selling rights would bring chaos to sport as a whole. The logic of the OFT's referral decision would enable individual football clubs to sell their own rights, favouring the big clubs with financial muscle to the detriment of smaller Premier league sides. The big clubs would want to sell the rights of their games, perhaps on a pay-for-view basis, making millions in the process. Smaller clubs such as my own beloved Derby County—I am pleased that my hon. Friend the Member for Ashfield (Mr. Hoon) is here, as it is his beloved club as well; it will be playing for the first time in the premiership next season—will have difficulty in reaching any reasonable deal if the legislation is passed.

5.45 pm

As I have said, the legislation will lead to chaos, not just in football but in other sports. We have all seen what has happened in the case of the Rugby Union Five Nations—or should we say Four Nations?—championship when one broadcaster has tried to strike different deals with different parties. That is clearly not a model that we would wish other sports to follow. I hope that the Minister agrees.

I shall say no more. I think that we should all speak briefly in debates such as this, given the consensus between the two sides of the House. I hope that the Minister will respond to the pleas of those who have spoken so far, and will give us some idea of the Government's thinking.

Mr. Sproat: The whole House will be grateful to my right hon. and learned Friend the Member for Putney (Mr. Mellor) for bringing this important and topical matter to our attention. I have great sympathy with what he has said and with his intentions, and I have taken careful note of the points that he has made. I understand, and to a great extent share, the concerns that he and other hon. Members have expressed, and, in particular, his view that the current agreements operate in the public interest and are necessary in the light of the character of the services and the game involved. As he will know, however, the referral of the Premier league does not necessarily mean that all such sports agreements risk ending up before the courts. At the time of the referral, the Director General of Fair Trading made it clear that he considered that the Premier league had a major, if not unique, position in the market for television programmes, and that other agreements for the broadcasting of sport being considered by the OFT were unlikely to be so significant as to warrant investigation by the court, although each was being considered on its merits.

It may offer some comfort to my right hon. and learned Friend, and to others who have spoken, if I explain that the existing competition regime includes protections against the negative effects that my right hon. and learned Friend has mentioned. When the Director General of Fair Trading identifies restrictions in a registrable agreement, he has a duty to refer the matter to the restrictive practices court. An example is the case of the Premier league's collective selling arrangements for broadcasting rights. The court will then consider whether such restrictions are in the public interest. When the parties to an agreement can satisfy the court that the arrangements are beneficial, the court may decide that the agreements operate in the public interest, and not strike them down. One way in which that may be done is by convincing the court that the restriction in question would bring specific and substantial benefits to the public. That is my personal view.

The debate has given hon. Members on both sides of the House an opportunity to make clear their belief that such an arrangement would not operate in the interests of sport. My hon. Friend the Minister for Science and Technology, who is sitting next to me, has heard what has been said, and I can tell my right hon. and learned Friend the Member for Putney that I shall ensure that the report of the debate and a covering letter are sent to the restrictive practices court, making the views of the House clear. I hope that, having been given that assurance, he will seek leave to withdraw his valuable new clause.

Mr. Mellor: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 40

DUTY OF RADIO AUTHORITY TO SET CRITERIA FOR PROMOTION OF DIVERSITY

'.—(1) Section 86 of the 1990 Act is amended as follows.

(2) Before inviting applications for a licence to provide any of the services mentioned in section 84, the Authority shall publish in draft the criteria which appear to them to be necessary for the achievement of the objectives set out in section 85, with particular reference to the promotion of diversity.

(3) The Authority shall, at the same time as publishing draft criteria under subsection (2) above, invite observations on them within such period, which shall be not less than three months, as may be specified by the Authority.

(4) The Authority shall take account of any observations received under subsection (3) above before confirming the draft criteria, which shall be published with such modifications as the Authority think fit.'.—*[Mr. Austin Mitchell.]*

Brought up, and read the First time.

Mr. Austin Mitchell: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 240, in clause 87, page 78, line 27, leave out 'eight' and insert 'five'.

No. 238, in clause 88, page 81, line 11, leave out 'eight' and insert 'five'.

Mr. Mitchell: The new clause and the amendments are an attempt to promote, support and encourage diversity

and pluralism in radio, to maximise the variety of radio stations. I think that those are also the aims of the Radio Authority. It is the logical future of radio because it is a medium in which there can no longer be monolithic radio stations serving a wide variety of tastes.

Stations should cater for sectionalised tastes so that each can recruit its own audience on the back of music that is designed to appeal to that audience. That audience, which may have been recruited by classical music, talk, chart music or by golden oldies for people like me, will then be provided with the kind of news, information and advertisements that are relevant to it and will appeal to it. Identity is built up through the music.

I sometimes think that new Labour is a Classic FM party. That is our kind of station. It has beautiful themes in short bursts and it is civilised, clean, well presented and eminently desirable. The technique is simple and straightforward and it emerged in American radio and is now being pursued in this country. It is logical to encourage diversity so that as many audiences as possible can be catered for by as many stations as possible. The question posed by the amendments is whether the Radio Authority is going about the provision of diversity in the right way. I question the effectiveness of its decision-making processes.

The best example of the Radio Authority's inability to take good decisions is LBC. The name was abolished and the station was given to somebody else, who made a total mess of it. After going through changes of ownership and format, it has reverted to its original title but with different programming and it has lost a massive audience in the process. An odd decision led to that and another odd decision was made in relation to Jazz FM in the north-west.

The Radio Authority's decisions based on its remit to provide diversity are in question. I mention that in the light of my own experience of an application—this is where I declare an interest—for a regional radio contract in Yorkshire. That is what gave rise to the new clause. We started by trying to decide the sort of audience to which we wanted to appeal. In a sense we wanted to appeal to new Yorkshire—to people between 25 and 45. We were advised, and our research and the experience of other stations told us, that we could reach that audience by presenting it with a diet of adult contemporary music. On the basis of that, we could also reach that audience with programmes on art, news and information about Yorkshire.

Yorkshire has its own proud identity and we made our application on that basis. It was not an appeal to teeny-boppers or to the kids who listen to chart music, nor to geriatrics like me who listen to Capital Gold or easy listening stations. However, the Radio Authority had other ideas. It decided that the Yorkshire station should provide hip-hop dance music for kids. It said that Yorkshire had 3 million adults and that it would give the radio station to the kids. The station went to an outside organisation. The decision was an insult to Yorkshire.

Regional radio stations are rather different from those in big conurbations where dance music might be appropriate for a teenage audience. The problem relates to the way in which the decision was reached. We were told that the authority would deliberate on the applications on a Thursday and announce the result that afternoon. However, two days before that press steers said that the authority was likely to decide on a dance music station. That means that the programming that the authority desired was made known, presumably by steers from Radio Authority staff, before the authority decided which station was to provide that sort of music.

If the Radio Authority thought that it should fill in the map on the basis of jazz for Lancashire, adult contemporary music for the west midlands, talk and contemporary music for Newcastle and dance music for Yorkshire, it would have been better to say so in advance. Those steers to the press must have come from the authority. They certainly did not come from the bidders, most of whom had bid for other sorts of music and were unlikely to release press statements stating that the station would be broadcasting material different from what they intended to provide. If the steer came from the authority, it must have known in advance the music format that it wanted in Yorkshire.

The new clause would make the Radio Authority declare its views in advance of applications, because if it does not do so two problems will arise. The first relates to the Radio Authority staff and whether they communicate the authority's views to the industry. Members of the staff have friends and they play golf. They are bound, as they should be, to maintain contacts, to mix with people and to play leading roles. The imputation will be that if they know that the authority is thinking along the lines of dance music for Yorkshire and adult contemporary music for the west midlands, it will be mentioned in conversation with people who submit applications for radio stations. I want to free the authority's staff from the imputation that information is being leaked in advance.

Secondly, I want to avoid the waste of time that is implicit in a process in which many people make applications at considerable expense. There were 13 applications for the Yorkshire contract, all of which involved expensive research, interviews, preparation, consultation and advice. It was an expensive business and it was a waste of time for applications which did not accord with the music format that the authority thought appropriate for Yorkshire. One applicant said to me, "We have put in five applications and none of them has been successful. We do not intend to put in any more. We are fed up with the whole business." If the authority thought that Yorkshire was right for hip-hop dance music, it should have said so in advance.

The new clause would make the process transparent by requiring the authority to say in advance that a new station in, for example, region A or town B should transmit dance music or be an easy listening station. It should state the format that it wants in the overall plan. That information should be contestable, so that interested parties can say, "No, we think that an appropriate format for this region is something different." The authority would be required to justify its decision and, in the light of the arguments and representations received, it could ask for applications for a specific kind of music.

People would know where they stand and those who did not want to apply need not bother. I would certainly not have applied for a dance music station because I would be wasting my time on it and such music is not appropriate to a regional station. Everything would be clear. Amendments Nos. 240 and 238 are designed simply to prevent renewal, because the radio industry is born free but everywhere it is in chains. Takeovers by big chains are

[Mr. Mitchell]

increasing and radio stations are losing their local identity. They have national promotion patterns, with disc jockeys who have no roots in the region being moved in and out and playing lists being decided outside the region. That is stultifying radio. Let us have more opportunities for people to apply by shortening the renewal period

The new clause and the two amendments provide, therefore, for more diversity and greater frequency of change in radio. I commend them to the House.

6 pm

Mr. Sproat: Section 105 of the Broadcasting Act 1990 lays down four criteria that the Radio Authority must take into account in determining to whom a local licence should be awarded. They are: the ability of the applicant to maintain the service throughout the period of the licence; the extent to which the proposed service would cater for the tastes and interests of people in the area receiving the broadcast; the extent to which any proposed service would broaden the range of services available in the area; and the extent to which the application is supported by people living in the receiving area.

In addition to those general criteria, new clause 40 would require the authority to publish more detailed criteria. I am not convinced that such detailed criteria would act in the public interest. They would risk fettering the authority's discretion and lead to blander and more formulaic applications. More generally, as a point of principle, politicians should not instruct the authority how to go about its business in fulfilling the task that it has clearly been set by Parliament.

On amendments Nos. 240, 238 and 239, clause 87 provides for national radio licence holders—Classic FM, Talk Radio and Virgin—to have their licences renewed for a further eight years if they take up their guaranteed slots on digital radio. That provides those broadcasters with greater security to undertake the considerable investment needed to launch their digital services. Similarly, clause 88 allows a local radio station to renew its analogue licence if it has committed itself to digital broadcasting. Again, the renewal period is eight years, the length of the analogue licence.

We believe that the prospect of renewal will be an important factor in decisions to invest in digital radio. I therefore cannot accept the amendments and I hope that, with my explanation, the hon. Gentleman will not press them.

Mr. Austin Mitchell: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New schedule 2

TRANSFER SCHEMES RELATING TO THE BBC TRANSMISSION NETWORK: TAXATION PROVISIONS

Interpretation

1.—(1) In this Schedule, unless the context otherwise requires—

"the Allowances Act" means the Capital Allowances Act 1990;

"the BBC transmission network" has the meaning given by section 125(2);

"the Capital Allowances Acts" has the meaning given by section 832(1) of the Taxes Act 1988;

"direct disposal scheme" means a transfer scheme which is not a preparatory scheme;

"direct disposal transfer" means a transfer in accordance with a direct disposal scheme;

"the documents regulating the BBC" includes—

(a) the Royal Charter of 1st May 1996 for the continuance of the British Broadcasting Corporation; and

(b) the Agreement dated 25th January 1996 between Her Majesty's Secretary of State for National Heritage and the British Broadcasting Corporation;

"the Gains Act" means the Taxation of Chargeable Gains Act 1992;

"modification agreement" has the meaning given by paragraph 7(7) of Schedule 5;

"preparatory scheme" means a transfer scheme whose main purpose is to provide for a transfer of property, rights or liabilities from the BBC to a wholly-owned subsidiary of the BBC;

"preparatory transfer" means a transfer in accordance with a preparatory scheme;

"relevant transfer" means a transfer in accordance with a transfer scheme;

"successor company" means a company to which property, rights or liabilities are transferred in accordance with a preparatory scheme at a time when the company is a wholly-owned subsidiary of the BBC;

"the Taxes Act 1988" means the Income and Corporation Taxes Act 1988;

"transfer", except for the purposes of paragraphs 13 to 18, includes—

(a) any transfer effected by or under an agreement or instrument entered into or executed in pursuance of an obligation imposed by a provision contained in a transfer scheme by virtue of paragraph 2(1)(g) of Schedule 5;

(b) the creation of interests, rights or liabilities by or under any such agreement or instrument; and

(c) the creation of interests, rights or liabilities by virtue of any provision contained in a transfer scheme by virtue of paragraph 2 of Schedule 5;

and references to a transfer in accordance with a transfer scheme (or any description of transfer scheme) shall be construed accordingly;

"transferee"—

(a) in relation to a transfer scheme, means a person to whom property, rights or liabilities are transferred in accordance with the transfer scheme; and

(b) in relation to a relevant transfer, means the person to whom the property, rights or liabilities in question are transferred in accordance with the transfer scheme in question;

"wholly-owned subsidiary" has the meaning given by section 736 of the Companies Act 1985.

(2) In any provision of this Schedule "the prescribed amount", in relation to any transferee under a transfer scheme, means such amount as may be specified by the Secretary of State by order for the purposes of that provision in its application to that transferee.

(3) This Schedule—

(a) so far as it relates to corporation tax, shall be construed as one with the Corporation Tax Acts, and

(b) so far as it relates to capital allowances, shall be construed as one with the Capital Allowances Acts.

Chargeable gains: preparatory transfers etc to be without gain or loss

2.—(1) For the purposes of corporation tax on chargeable gains, the disposal of property, rights or liabilities which is constituted by a preparatory transfer shall, subject to the following provisions of this Schedule, be taken in relation to both—

(a) the person to whom the disposal is made, and

(b) the person making the disposal,

to be effected for a consideration such that no gain or loss accrues to the person making the disposal.

(2) Section 171(1) of the Gains Act (which makes provision in relation to the disposal of assets from one member of a group of companies to another member of the group) shall not apply where the disposal in question is a preparatory transfer.

Chargeable gains: amendment of section 35(3)(d) of the Gains Act

3. In section 35(3)(d) of the Gains Act (list of provisions for transfers without gain or loss for purposes of provisions applying to assets held on 31st March 1982) after sub-paragraph (xi) there shall be inserted—

"(xii) paragraph 2(1) of Schedule *(Transfer schemes relating to the BBC transmission network: taxation provisions)* to the Broadcasting Act 1996;".

Chargeable gains: section 41 of the Gains Act

4. Subsection (1) of section 174 of the Gains Act (which applies section 41 of that Act to cases where assets have been acquired without gain or loss) shall have effect, without prejudice to paragraph 2, where there has been a preparatory transfer as if the asset to which the preparatory transfer relates had thereby been transferred and acquired in relevant circumstances, within the meaning of that subsection.

Chargeable gains: assets held before 6th April 1965

5. Schedule 2 to the Gains Act (assets held on 6th April 1965) shall have effect in relation to any assets which are transferred to a successor company in accordance with a preparatory scheme as if—

(a) the BBC and the successor company were the same person; and

(b) those assets, to the extent that they were in fact acquired or provided by the BBC, were acquired or, as the case may be, provided by the successor company.

Chargeable gains: sale of successor company : group transactions

6.—(1) For the purposes of section 179 of the Gains Act (company ceasing to be a member of a group), where any company ("the degrouped company") ceases, by virtue of a qualifying transaction, to be a member of a group of companies, the degrouped company shall not, by virtue of that qualifying transaction, be treated under that section as having sold, and immediately reacquired, any asset acquired from a company which falls to be regarded for the purposes of subsection (1) of that section as having been at the time of acquisition a member of that group.

(2) Where, disregarding any preparatory transactions, a company would be regarded for the purposes of section 179 of the Gains Act (and, accordingly, of this paragraph) as ceasing to be a member of a group of companies by virtue of a qualifying transaction, it shall be regarded for those purposes as so doing by virtue of the qualifying transaction and not by virtue of any preparatory transactions.

(3) In this paragraph—

"preparatory transaction", in the case of any qualifying transaction, means anything done for the purpose of initiating, advancing or facilitating the qualifying transaction;

"qualifying transaction" means the disposal by the BBC of any shares or securities of a successor company.

(4) Expressions used in this paragraph and in section 179 of the Gains Act have the same meaning in this paragraph as they have in that section.

Chargeable gains: sale or exchange of shares or securities of successor company

7.—(1) Where a company issues shares or debentures to the BBC in exchange for shares in or debentures of a successor company which have not, before that exchange, been disposed of by the BBC—

(a) sections 127 to 131 of the Gains Act (reorganisation or reduction of share capital) shall not apply by virtue of subsection (3) of section 135 of that Act (exchange of securities) in relation to that exchange, and

(b) section 116 of that Act (reorganisations, conversions and reconstructions) accordingly does not have effect in relation to that transaction,

and the following provisions of this paragraph shall apply accordingly.

(2) The following provisions of this paragraph apply in any case where—

(a) there is a preparatory transfer to a successor company;

(b) the BBC disposes of any shares or securities of the successor company for a consideration in money or money's worth; and

(c) those shares or securities are shares or securities which were—

(i) held by or on behalf of the BBC immediately before the preparatory transfer takes effect, or

(ii) issued to or for the BBC at a time when the successor company is a wholly-owned subsidiary of the BBC,

and which have not previously been disposed of by the BBC.

(3) For the purposes of corporation tax on chargeable gains, neither a chargeable gain nor an allowable loss shall be regarded as arising to the BBC on the disposal mentioned in sub-paragraph (2)(b).

(4) If the consideration for the disposal mentioned in sub-paragraph (2)(b) consists of or includes a right to any variable deferred consideration, then, for the purposes of corporation tax on chargeable gains, neither a chargeable gain nor an allowable loss shall be regarded as arising to the BBC on the disposal of the right to the variable deferred consideration.

(5) In this paragraph "variable deferred consideration" means any consideration—

(a) which is not to be given until after the disposal mentioned in sub-paragraph (2)(b); and

(b) whose amount or value, as at the time when it is to be given, is not ascertainable at the time of that disposal.

No chargeable gain or allowable loss to arise on any disposal constituted by a direct disposal transfer

8.—(1) For the purposes of corporation tax on chargeable gains, neither a chargeable gain nor an allowable loss shall be regarded as arising to the BBC on any disposal constituted by a direct disposal transfer.

(2) If the consideration for a direct disposal transfer consists of or includes a right to any variable deferred consideration, then, for the purposes of corporation tax on chargeable gains, neither a chargeable gain nor an allowable loss shall be regarded as arising to the BBC on the disposal of the right to the variable deferred consideration.

(3) In this paragraph "variable deferred consideration", in the case of any direct disposal transfer, means any consideration—

(a) which is not to be given until after the direct disposal transfer; and

(b) whose amount or value, as at the time when it is to be given, is not ascertainable at the time of the disposal constituted by that transfer.

Chargeable gains: value shifting

9.—(1) Nothing in Part VI of this Act, and no instrument or agreement made, or other thing done, under or by virtue of that Part or for the purpose of initiating, advancing or facilitating the disposal by the BBC of—

(a) the whole or any part of the BBC transmission network, or

(b) any shares or securities of a successor company which are shares or securities which were—

(i) held by or on behalf of the BBC immediately before a preparatory transfer to the successor company takes effect, or

(ii) issued to or for the BBC at a time when the successor company is a wholly-owned subsidiary of the BBC,

and which have not previously been disposed of by the BBC,

shall be regarded as a scheme or arrangement for the purposes of section 30 of the Gains Act (value-shifting).

(2) In any case where—

(a) an asset which is the subject of a preparatory transfer has previously been the subject of a scheme or arrangements falling within subsection (1) of section 30 of the Gains Act,

(b) in consequence, subsection (5) of that section (consideration on disposal to be treated as increased for certain purposes) would, apart from sub-paragraph (3), have had effect in relation to the consideration for the preparatory transfer, and

(c) the consideration for the preparatory transfer falls to be determined, for the purposes of corporation tax on chargeable gains, under paragraph 2,

sub-paragraph (3) shall apply.

(3) Where this sub-paragraph applies—

(a) subsection (5) of section 30 of the Gains Act shall not have effect in relation to the consideration for the preparatory transfer; but

(b) on the first subsequent disposal of the asset which is neither a preparatory transfer nor a group disposal—

(i) that subsection shall have effect in relation to the consideration for that disposal (whether or not it would otherwise have done so); and

(ii) the increase that falls to be made under that subsection shall be so calculated as to include any increase which would, but for paragraph (a) above, have fallen to be made in relation to the preparatory transfer.

(4) In this paragraph "group disposal" means a disposal which falls to be treated by virtue of section 171(1) of the Gains Act as made for a consideration such that no gain or loss accrues to the person making the disposal.

Chargeable gains: receipt of compensation or insurance money

10.—(1) Subsection (4) of section 23 of the Gains Act (adjustments where compensation or insurance money used for purchase of replacement asset) shall have effect in accordance with sub-paragraph (3) in any case where—

(a) there is a relevant transfer such that—

(i) a capital sum received by the BBC by way of compensation for the loss or destruction of an asset, or under a policy of insurance of the risk of the loss or destruction of an asset, becomes available to the transferee; or

(ii) a right of the BBC to receive such a sum is transferred to the transferee, and the transferee receives that sum; and

(b) the transferee acquires an asset in circumstances where—

(i) had there been no such relevant transfer, and

(ii) had the BBC acquired the asset by the application of that sum,

the BBC would be treated for the purposes of that subsection as having so acquired the asset in replacement for the asset lost or destroyed.

(2) Subsection (5) of that section (adjustments where a part of any compensation or insurance money is used for the purchase of a replacement asset) shall have effect in accordance with sub-paragraph (3) in any case where—

(a) there is a relevant transfer such that—

(i) a capital sum received by the BBC by way of compensation for the loss or destruction of an asset, or under a policy of insurance of the risk of the loss or destruction of an asset, becomes available to the transferee; or

(ii) a right of the BBC to receive such a sum is transferred to the transferee, and the transferee receives that sum; and

(b) the transferee acquires an asset in circumstances where—

(i) had there been no such relevant transfer, and

(ii) had the BBC acquired the asset by the application of all of that sum except for a part which was less than the amount of the gain (whether all chargeable gain or not) accruing on the disposal of the asset lost or destroyed,

the BBC would be treated for the purposes of that subsection as having so acquired the asset in replacement for the asset lost or destroyed.

(3) In a case falling within sub-paragraph (1) or (2) of this paragraph, subsection (4) or, as the case may be, subsection (5) of section 23 of the Gains Act shall have effect as if the transferee and the BBC were the same person, except that—

(a) in a case falling within sub-paragraph (1)(a)(i) or (2)(a)(i)—

(i) any claim under the subsection in question must be made by the BBC and the transferee; and

(ii) any adjustment to be made in consequence of paragraph (a) of that subsection shall be made for the purposes only of the taxation of the BBC; and

(b) in a case falling within sub-paragraph (1)(a)(ii) or (2)(a)(ii)—

(i) any claim under the subsection in question must be made by the transferee; and

(ii) any adjustment to be made in consequence of paragraph (a) of that subsection shall be made for the purposes only of the taxation of the transferee.

Loan relationships: disposal of securities by BBC

11.—(1) This paragraph applies in any case where—

(a) there is a preparatory transfer to a successor company;

(b) the BBC disposes of any securities of the successor company for a consideration in money or money's worth; and

(c) those securities are securities issued to or for the BBC in consideration for the preparatory transfer.

(2) Where this paragraph applies, any debits or credits which, by reason of the disposal mentioned in sub-paragraph (1)(b), would, apart from this sub-paragraph, be given by Chapter II of Part IV of the Finance Act 1996 (loan relationships) in respect of a loan relationship for an accounting period of the BBC shall not be brought into account for the purposes of that Chapter as respects the BBC.

Transfer of trade: loss relief and capital allowances

12.—(1) This paragraph applies in any case where, as a result of a relevant transfer,—

(a) the BBC ceases to carry on a trade; and

(b) the transferee begins to carry on that trade.

(2) Where this paragraph applies, section 343 of the Taxes Act 1988 (company reconstructions without change of ownership) shall not have effect in relation to the event described in sub-paragraph (1).

(3) Where this paragraph applies, the trade mentioned in sub-paragraph (1) shall not be treated as permanently discontinued nor a new trade as set up and commenced for the purpose of the allowances and charges provided for by the Capital Allowances Acts; but—

(a) there shall be made to or on the transferee in accordance with those Acts all such allowances and charges as would, if the BBC had continued to carry on the trade, have fallen to be made to or on it; and

(b) the amount of any such allowance or charge shall be computed as if—

(i) the transferee had been carrying on the trade since the BBC began to do so; and

(ii) everything done to or by the BBC had been done to or by the transferee (but so that no sale or transfer which on the transfer of the trade is made to the transferee by the BBC of any assets in use for the purpose of the trade shall be treated as giving rise to any such allowance or charge).

(4) For the purposes of this paragraph—

(a) where, on the BBC ceasing to carry on a trade, a company begins to carry on the activities of the trade as part of its trade, then that part of the trade carried on by the company shall be treated as a separate trade, if the effect of so treating it is that this paragraph applies by virtue of sub-paragraph (1) on that event in relation to that separate trade; and

(b) where, on the BBC ceasing to carry on part of a trade, a company begins to carry on the activities of that part as its trade or part of its trade, the BBC shall be treated as having carried on that part of its trade as a separate trade if the effect of so treating it is that this paragraph applies by virtue of sub-paragraph (1) on that event in relation to that separate trade.

Capital allowances: industrial buildings and structures

13.—(1) This paragraph applies in any case where there is a relevant transfer of property which is, for the purposes of Part I of the Allowances Act (industrial buildings and structures), the relevant interest in relation to any expenditure incurred on the construction of a building or structure.

(2) Where this paragraph applies, the Secretary of State may by order make provision specifying, as respects the transferee,—

(a) the amount which is to be taken for the purposes of Part I of the Allowances Act to be the amount of the capital expenditure incurred on the construction of the building or structure; and

(b) the date which is to be taken for the purposes of that Part as the date on which the building or structure was first used.

(3) This paragraph shall not have effect in relation to any property if paragraph 12(3) has effect in relation to it.

Capital allowances: machinery and plant

14.—(1) For the purposes of Part II of the Allowances Act (capital allowances in respect of machinery and plant) property which is transferred to a successor company in accordance with a preparatory scheme shall be treated as if—

(a) it had been acquired by the successor company, for the purposes for which it is used by that company on and after the date on which the transfer of the property in accordance with the scheme takes effect, on that date; and

(b) capital expenditure of the prescribed amount had been incurred on that date by the successor company on the acquisition of the property for the purposes mentioned in paragraph (a).

(2) This paragraph shall not have effect in relation to any property if paragraph 12(3) has effect in relation to it.

Capital allowances: leased fixtures

15.—(1) This paragraph applies to any lease which is granted in pursuance of an obligation imposed by a provision contained in a preparatory scheme by virtue of paragraph 2(1)(g) of Schedule 5.

(2) Where the conditions in paragraphs (a) and (b) of subsection (1) of section 55 of the Allowances Act (expenditure incurred by incoming lessee: transfer of allowances) are fulfilled in relation to a lease to which this paragraph applies—

(a) the lessee shall be deemed for the purposes of Part II of that Act to have given as consideration for the lease a capital sum which falls to be treated for the purposes of that Part as expenditure on the provision of the fixture concerned;

(b) the amount of that capital sum shall be the prescribed amount; and

(c) subsection (4)(a) of that section shall be disregarded.

(3) Where the conditions in paragraphs (a), (c) and (d) of section 56 of the Allowances Act (expenditure incurred by incoming lessee: lessor not entitled to allowances) are fulfilled in relation to a lease to which this paragraph applies—

(a) the lessee shall be deemed for the purposes of Part II of that Act to have given as consideration for the lease a capital sum which falls to be treated for the purposes of that Part as expenditure on the provision of the fixture concerned; and

(b) the amount of that capital sum shall be the prescribed amount.

Capital allowances: connected persons

16. In Part II of the Allowances Act (machinery and plant) references to a transaction (however described) between connected persons within the meaning of section 839 of the Taxes Act 1988 shall not include references to a preparatory transfer.

Capital allowances: agricultural buildings

17.—(1) This paragraph applies in any case where there is a relevant transfer of property which is the relevant interest in relation to any expenditure for which the BBC would be entitled to an allowance under Part V of the Allowances Act (agricultural buildings etc) apart from section 128 of that Act (balancing allowances and charges).

(2) Where this paragraph applies—

(a) the acquisition of the relevant interest by the transferee shall, as respects the transferee, be treated for the purposes of Part V of the Allowances Act as a balancing event falling within subsection (1)(a) of section 129 of that Act (so that, in particular, subsection (3) of that section applies by reason of its occurrence); and

(b) it shall accordingly be assumed, as respects the transferee, that an election has been made under subsection (2) of that section (acquisition of relevant interest by another not to be a balancing event without an election under that subsection) with respect to the acquisition of the relevant interest by the transferee.

(3) Where this paragraph applies, subsection (3) of section 129 of the Allowances Act (entitlement of the new owner to allowances) shall, as respects the transferee, have effect with the following modifications, that is to say—

(a) the period which, by virtue of paragraph (a) of that subsection, is to be treated as if it were itself the writing-down period in which the allowances in respect of the expenditure in question were to be made shall be such period as the Secretary of State may by order specify; and

(b) the expenditure which, by virtue of paragraph (b) of that subsection, is to be treated as the expenditure in respect of which the transferee (as being the new owner, within the meaning of that section) is entitled to the allowances mentioned in that paragraph shall be equal to the prescribed amount (without any reduction or addition under that paragraph).

(4) This paragraph shall not have effect in relation to any property if paragraph 12(3) has effect in relation to it.

Corporation tax: BBC and successor company to be treated as one for certain purposes

18.—(1) If any property, rights or liabilities are transferred to a successor company in accordance with a preparatory scheme, then, subject to sub-paragraph (2), the following provisions shall apply for the purposes of the Corporation Tax Acts in their application in respect of any accounting period ending on or after the date on which the transfer takes effect, namely—

(a) any trade or part of a trade carried on by the BBC which is transferred in accordance with the preparatory scheme to the successor company shall be treated as having been, at the time of its commencement and at all times since that time, a separate trade carried on by that company;

(b) the trade or trades carried on by the successor company on and after the date on which the transfer takes effect shall be treated as the same trade or trades as that which, by virtue of paragraph (a), is treated as carried on before that date;

(c) all property, rights and liabilities of the BBC which are transferred in accordance with the scheme to the successor company shall be treated as having been, at the time when they became vested in the BBC and at all times since that time, property, rights and liabilities of that company; and

(d) anything done by the BBC in relation to property, rights and liabilities which are transferred to the successor company in accordance with the preparatory scheme shall be treated as having been done by that company.

(2) Sub-paragraph (1) shall not apply for the purposes of—

(a) corporation tax on chargeable gains,

(b) capital allowances, or

(c) relief for losses incurred in carrying on a trade,

and no provision included in a scheme by virtue of paragraph 4(2)(a) of Schedule 5 shall have effect for those purposes.

Corporation tax: no profit or loss under Case I of Schedule D by reason of a direct disposal transfer

19. In determining for the purposes of Case I of Schedule D the profits or gains or losses arising or accruing to the BBC, it shall be assumed that no profits or gains, and no losses, arise or accrue to the BBC by reason of a direct disposal transfer of—

(a) any trading stock, within the meaning of section 100 of the Taxes Act 1988, belonging to a trade carried on by the BBC;

(b) any right of the BBC to receive an amount which is for the purposes of corporation tax—

(i) an amount brought into account as a trading receipt of the BBC for any accounting period ending before the time when the transfer takes effect; or

(ii) an amount falling to be so brought into account if it is assumed, where it is not the case, that the accounting period of the BBC current on the day before the transfer takes effect ends immediately before that time; or

(c) the whole or any part of the amount of a liability which falls for the purposes of corporation tax—

(i) to be brought into account as deductible in computing the profits of any trade carried on by the BBC for any accounting period ending before the time when the transfer takes effect; or

(ii) to be so brought into account if it is assumed, where it is not the case, that the accounting period of the BBC current on the day before the transfer takes effect ends immediately before that time.

Corporation tax: group relief

20.—(1) None of the following, namely—

(a) the existence of the powers of any Minister of the Crown or the BBC under Part VI of this Act or under the documents regulating the BBC,

(b) any direction given by a Minister of the Crown under that Part or those documents, so far as that direction relates to a transfer scheme or (in a case where there is a preparatory scheme) to the sale of shares or securities issued by the successor company, or

(c) any arrangements (of any kind, whether in writing or not) so far as relating to a transfer scheme or any such sale,

shall be regarded as constituting arrangements falling within subsection (1) or (2) of section 410 of the Taxes Act 1988 (arrangements for the transfer of a company to another group or consortium).

(2) Neither—

(a) the existence of the powers of any Minister of the Crown or the BBC under Part VI of this Act or under the documents regulating the BBC, nor

(b) any direction given as mentioned in sub-paragraph (1)(b),

shall be regarded as constituting option arrangements for the purposes of paragraph 5B of Schedule 18 to the Taxes Act 1988.

(3) Any reference in sub-paragraph (1) or (2) to the documents regulating the BBC is a reference to those documents only so far as they have effect in relation to a disposal by the BBC of—

(a) the whole or any part of the BBC transmission network, or

(b) any shares or securities of a successor company,

or the initiating, advancing or facilitating of any such disposal.

(4) In this paragraph "Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975.

Corporation tax: leases at an undervalue

21.—(1) Section 35 of the Taxes Act 1988 (charge on lease granted at an undervalue) shall not apply in the case of any lease which, in accordance with a transfer scheme, is granted—

(a) to a company which is a transferee under that or any other transfer scheme, or

(b) by such a company to the BBC.

(2) Section 87 of the Taxes Act 1988 (taxable premiums) shall not apply where there is an amount which would have become chargeable in relation to any land but for sub-paragraph (1); and, accordingly, references to any such amount shall not be included in references in that section to the amount chargeable.

(3) In this paragraph "lease" has the same meaning as in Part II of the Taxes Act 1988.

Corporation tax: sale and lease-back

22.—(1) Section 779 of the Taxes Act 1988 (sale and lease-back: limitation on tax reliefs) shall not apply where the liability of the transferor or of the person associated with that transferor is as a result of—

(a) the creation, in accordance with a transfer scheme, of any interest or right in favour of a transferee or the BBC;

(b) any other transaction for which a transfer scheme provides; or

(c) the grant by a company which is a transferee under a transfer scheme ("the relevant company") to the BBC or to another company which is a transferee (whether under that or any other transfer scheme) of any interest or right, at a time when the relevant company remains a wholly-owned subsidiary of the BBC, in a case where the ability of the relevant company to grant that interest or right derives from the transfer to the company in accordance with a transfer scheme of an estate or interest in land.

(2) In this paragraph "transferor" has the same meaning as in section 779 of the Taxes Act 1988 and "associated" shall be construed in accordance with that section.

Corporation tax: sale of lease of land

23.—(1) Section 780 of the Taxes Act 1988 (sale and lease-back: taxation of consideration) shall not apply where—

(a) the assignment of the original lease, and

(b) the grant or assignment of the new lease,

each fall within sub-paragraph (2).

(2) The assignment of the original lease, or the grant or assignment of the new lease, falls within this sub-paragraph if—

(a) it is a relevant transfer; or

(b) it takes place between the BBC and a successor company at a time when the successor company remains a wholly-owned subsidiary of the BBC; or

(c) it takes place between two successor companies at a time when both remain wholly-owned subsidiaries of the BBC.

(3) The reference in sub-paragraph (1) to the assignment of the original lease and the grant or assignment of the new lease shall be construed in accordance with section 780 of the Taxes Act 1988 and sub-paragraph (2) shall be construed accordingly.

Corporation tax: leased assets

24.—(1) For the purposes of section 781 of the Taxes Act 1988 (assets leased to traders and others) where the interest of the lessor or the lessee under a lease, or any other interest in an asset, is transferred in accordance with a transfer scheme to the BBC or a transferee, the transfer shall be treated as being effected without any capital sum having been obtained in respect of that interest by the BBC or the transferee.

(2) Section 782 of the Taxes Act 1988 (deduction of payment under leases: special cases) shall not apply to any payments made by the BBC or a company which is a transferee under a transfer scheme if the payments are made—

(a) under any lease created in favour of the BBC or such a company by virtue of, or in pursuance of an obligation imposed by, a provision contained in a transfer scheme by virtue of paragraph 2 of Schedule 5; or

(b) under any lease—

(i) which is granted to or by a successor company at a time when it remains a wholly-owned subsidiary of the BBC; and

(ii) which is a lease of an asset which at any time before the creation of the lease was used by the BBC for the purposes of a trade carried on by the BBC and which was, when so used, owned by the BBC.

(3) In this paragraph "lease" and "asset" have the meaning given by section 785 of the Taxes Act 1988.

Stamp duty

25.—(1) Stamp duty shall not be chargeable on any agreement or instrument to the extent that it is certified by the Secretary of State to the Commissioners of Inland Revenue as being—

(a) a restructuring scheme,

(b) a restructuring scheme modification agreement, or

(c) an instrument giving effect to a restructuring scheme modification agreement,

or as having been made in accordance with, or in pursuance of an obligation imposed by, a restructuring scheme.

(2) No agreement or instrument which is certified as mentioned in sub-paragraph (1) shall be taken to be duly stamped unless—

(a) it is stamped with the duty to which it would be liable, apart from that sub-paragraph; or

(b) it has, in accordance with section 12 of the Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with that duty or that it is duly stamped.

(3) Section 12 of the Finance Act 1895 (collection of stamp duty in cases of property vested by Act or purchased under statutory power) shall not operate to require—

(a) the delivery to the Commissioners of Inland Revenue of a copy of this Act, or

(b) the payment of stamp duty under that section on any copy of this Act,

and shall not apply in relation to any instrument on which, by virtue of the preceding provisions of this paragraph, stamp duty is not chargeable.

(4) In this paragraph—

"restructuring scheme modification agreement" means a modification agreement, so far as relating to a restructuring scheme;

"restructuring scheme" means a preparatory scheme, so far as it provides for the transfer of property, rights or liabilities in accordance with the scheme—

(a) from the BBC to a wholly-owned subsidiary of the BBC;

(b) to the BBC from a wholly-owned subsidiary of the BBC; or

(c) from one wholly-owned subsidiary of the BBC to another.

Stamp duty reserve tax

26.—(1) An agreement to transfer chargeable securities, as defined in section 99 of the Finance Act 1986, from the BBC to a wholly-owned subsidiary of the BBC shall not give rise to a charge to stamp duty reserve tax if the agreement is made for the purposes of, or for purposes connected with, a restructuring scheme.

(2) An agreement shall not give rise to a charge to stamp duty reserve tax if the agreement is a restructuring scheme modification agreement.

(3) In this paragraph "restructuring scheme" and "restructuring scheme modification agreement" have the same meaning as in paragraph 25.

Modifications of transfer schemes

27.—(1) If the effect of any transfer scheme is modified in pursuance of a modification agreement, then the Corporation Tax Acts and this Schedule, other than paragraphs 25 and 26, shall have effect as if—

(a) the scheme originally made had been the scheme as modified; and

(b) anything done by or in relation to the person who without the modification became entitled or subject in accordance with the scheme to any property, rights or liabilities had, so far as relating to the property, rights or liabilities to which another person becomes entitled or subject in consequence of the modification, been done by or in relation to that other person.

(2) If, in a case falling within sub-paragraph (1), the transfer scheme, as originally made, was a preparatory scheme, the scheme as modified shall be taken to be a preparatory scheme, whether or not any company which was a wholly-owned subsidiary of the BBC at the time when the preparatory scheme took effect remains a wholly-owned subsidiary of the BBC at the time when the modification takes effect.

Orders

28.—(1) The Secretary of State shall not make an order under this Schedule in relation to any transferee under a transfer scheme except—

(a) with the consent of the Treasury;

(b) after consultation with the BBC; and

(c) if the transferee is not a wholly-owned subsidiary of the BBC, after consultation with the transferee.

(2) Any power of the Secretary of State to make an order under this Part of this Schedule—

(a) shall be exercisable by statutory instrument; and

(b) shall include power to make different provision for different cases, including different provision in relation to different assets or descriptions of assets.'.— [*Mr. Wood.*]

Brought up, read the First and Second time, and added to the Bill.

New schedule 3

TRANSFER SCHEMES RELATING TO THE BBC TRANSMISSION NETWORK: SUCCESSOR COMPANIES

Interpretation

1.—(1) In this Schedule—

"the Charter" means the Royal Charter of 1st May 1996 for the continuance of the British Broadcasting Corporation;

"preparatory scheme" means a transfer scheme whose main purpose is to provide for a transfer of property, rights or liabilities from the BBC to a wholly-owned subsidiary of the BBC;

"successor company" means a company to which property, rights or liabilities are transferred in accordance with a preparatory scheme at a time when the company is a wholly-owned subsidiary of the BBC;

"transfer" includes—

(a) any transfer effected by or under an agreement or instrument entered into or executed in pursuance of an obligation imposed by a provision contained in a preparatory scheme by virtue of paragraph 2(1)(g) of Schedule 5;

(b) the creation of interests, rights or liabilities by or under any such agreement or instrument; and

(c) the creation of interests, rights or liabilities by virtue of any provision contained in a preparatory scheme by virtue of paragraph 2 of Schedule 5;

and references to a transfer in accordance with a preparatory scheme shall be construed accordingly;

"wholly-owned subsidiary" has the meaning given by section 736 of the Companies Act 1985.

(2) Any reference in this Schedule to vesting in accordance with a preparatory scheme or vesting effected by a preparatory scheme shall be construed as a reference to vesting as a result of a transfer in accordance with a preparatory scheme.

Statutory accounts

2.—(1) The following provisions of this paragraph shall have effect for the purposes of any statutory accounts of a successor company.

(2) The vesting in the company effected by any preparatory scheme shall be taken—

(a) to have been effected immediately after the end of the last financial year of the BBC to end before the coming into force of the scheme, and

(b) to have been a vesting of such property, rights and liabilities as are determined by or under the scheme.

(3) The value of any asset and the amount of any liability which is taken by virtue of sub-paragraph (2) to have been vested in the company shall be taken to have been—

(a) in the case where the value or amount is determined by or under the preparatory scheme, that value or amount, and

(b) in any other case, the value or amount assigned to the asset or liability for the purposes of the Account or Accounts prepared by the BBC for the purposes of Article 18(2) of the Charter in respect of their last financial year to end before the day on which the preparatory scheme comes into force.

(4) If an Account or Accounts are prepared by the BBC for the purposes of Article 18(2) of the Charter in respect of the residual part of a financial year, that residual part shall be treated as a financial year of the BBC for the purposes of sub-paragraph (3).

(5) In this paragraph "statutory accounts", in relation to a company, means any accounts of that company prepared for the purposes of any provision of the Companies Act 1985 (including group accounts).

Distributable reserves

3.—(1) Where statutory accounts of a successor company prepared as at any time would show the company as having net assets in excess of the aggregate of—

(a) its called-up share capital, and

(b) the amount, apart from any property, rights and liabilities transferred to it in accordance with any preparatory scheme, of its undistributable reserves,

then, for the purposes of section 263 of the Companies Act 1985 (profits available for distribution) and of the preparation as at that time of any statutory accounts of the company, that excess shall be treated, except so far as the Secretary of State may otherwise direct, as representing an excess of the company's accumulated realised profits over its accumulated realised losses.

(2) For the purposes of section 264 of the Companies Act 1985 (restriction on distribution of assets) so much of any excess of a company's net assets as falls, in accordance with a direction under this paragraph, to be treated otherwise than as representing an excess of the company's accumulated realised profits over its accumulated realised losses shall be treated (subject to any modification of that direction by a subsequent direction under this paragraph) as comprised in the company's undistributable reserves.

(3) A direction under this paragraph may provide, in relation to any amount to which it applies, that, on the realisation (whether before or after the company in question ceases to be a wholly-owned subsidiary of the BBC) of such profits and losses as may be specified or described in the direction, so much of that amount as may be determined in accordance with the direction is to cease to be treated as mentioned in sub-paragraph (2) and is to fall to be treated as comprised in the company's accumulated realised profits.

(4) The Secretary of State shall not give a direction under this paragraph in relation to a successor company at any time after the company has ceased to be a wholly-owned subsidiary of the BBC.

(5) The consent of the Treasury shall be required for the giving of a direction under this paragraph.

(6) In this paragraph—

"called-up share capital" has the same meaning as in the Companies Act 1985;

"net assets" has the meaning given by subsection (2) of section 264 of that Act;

"undistributable reserves" has the meaning given by subsection (3) of that section;

and references in this paragraph, in relation to a company, to statutory accounts are references to accounts of that company prepared in respect of any period in accordance with the requirements of that Act, or with those requirements applied with such modifications as are necessary where that period is not an accounting reference period.

Dividends

4.—(1) Where a distribution is proposed to be declared during any accounting reference period of a successor company which includes a transfer date or before any accounts are laid or filed in respect of such a period, sections 270 to 276 of the Companies Act 1985 (accounts relevant for determining whether a distribution may be made by a company) shall have effect as if—

(a) references in section 270 to the company's accounts or to accounts relevant under that section, and

(b) references in section 273 to initial accounts,

included references to such accounts as, on the assumptions stated in sub-paragraph (2), would have been prepared under section 226 of that Act in respect of the relevant year (in this paragraph referred to as "the relevant accounts").

(2) Those assumptions are—

(a) that the relevant year had been a financial year of the successor company,

(b) that the vesting in accordance with the preparatory scheme had been a vesting of all the property, rights and liabilities transferred to the company in accordance with that scheme and had been effected immediately after the beginning of that year,

(c) that the value of any asset and the amount of any liability of the BBC vested in the successor company in accordance with the preparatory scheme had been the value or (as the case may be) amount determined by or under the scheme or (if there is no such determination) the value or amount assigned to the asset or liability for the purposes of the Account or Accounts prepared by the BBC for the purposes of Article 18(2) of the Charter in respect of their financial year immediately preceding the relevant year,

(d) that any securities of the successor company issued or allotted before the declaration of the distribution had been issued or allotted before the end of the relevant year, and

(e) such other assumptions (if any) as may appear to the directors of the successor company to be necessary or expedient for the purposes of this paragraph.

(3) If an Account or Accounts are prepared by the BBC for the purposes of Article 18(2) of the Charter in respect of the residual part of a financial year, that residual part shall be treated as a financial year of the BBC for the purposes of sub-paragraph (2)(c).

(4) The relevant accounts shall not be regarded as statutory accounts for the purposes of paragraph 2.

(5) In this paragraph—

"accounting reference period" has the meaning given by section 224 of the Companies Act 1985;

"complete financial year" means a financial year ending with 31st March;

"the relevant year", in relation to any transfer date, means the last complete financial year ending before that date;

"a transfer date", in relation to a successor company, means the date of the coming into force of any preparatory scheme in accordance with which property, rights or liabilities are transferred to that company.

Application of the Trustee Investments Act 1961

5.—(1) For the purpose of applying paragraph 3(b) of Part IV of Schedule 1 to the Trustee Investments Act 1961 (which provides that shares and debentures of a company shall not count as wider-range and narrower-range investments respectively within the meaning of that Act unless the company has paid dividends in each of the five years immediately preceding that in which the investment is made) in relation to investment in shares or debentures of a successor company during the calendar year in which the transfer date falls ("the first investment year") or during any year following that year, the successor company shall be deemed to have paid a dividend as there mentioned—

(a) in every year preceding the first investment year which is included in the relevant five years, and

(b) in the first investment year, if that year is included in the relevant five years and the successor company does not in fact pay such a dividend in that year.

(2) In sub-paragraph (1)—

"the relevant five years" means the five years immediately preceding the year in which the investment in question is made or proposed to be made;

"the transfer date", in relation to a successor company, means the first date on which any preparatory scheme in accordance with which property, rights or liabilities are transferred to that company comes into force.'.—[*Mr. Wood.*]

Brought up, read the First and Second time, and added to the Bill.

New schedule 4

AMENDMENTS OF COPYRIGHT, DESIGNS AND PATENTS ACT 1988 RELATING TO CABLE PROGRAMME SERVICES

1. For section 73 of the Copyright, Designs and Patents Act 1988 there is substituted—

"Reception and retransmission of broadcast in cable programme service

73.—(1) This section applies where a broadcast made from a place in the United Kingdom is, by reception and immediate re-transmission, included in a cable programme service.

(2) The copyright in the broadcast is not infringed—

(a) if the inclusion is in pursuance of a relevant requirement, or

(b) if and to the extent that the broadcast is made for reception in the area in which the cable programme service is provided and forms part of a qualifying service.

(3) The copyright in any work included in the broadcast is not infringed if and to the extent that the broadcast is made for reception in the area in which the cable programme service is provided; but where the making of the broadcast was an infringement of the copyright in the work, the fact that the broadcast was re-transmitted as a programme in a cable programme service shall be taken into account in assessing the damages for that infringement.

(4) Where—

(a) the inclusion is in pursuance of a relevant requirement, but

(b) to any extent, the area in which the cable programme service is provided ("the cable area") falls outside the area for reception in which the broadcast is made ("the broadcast area"),

the inclusion in the cable programme service (to the extent that it is provided for so much of the cable area as falls outside the broadcast area) of any work included in the broadcast shall, subject to subsection (5) be treated as licensed by the owner of the copyright in the work, subject only to the payment to him by the person making the broadcast of such reasonable royalty or other payment in respect of the inclusion of the broadcast in the cable programme service as may be agreed or determined in default of agreement by the Copyright Tribunal.

(5) Subsection (4) does not apply if, or to the extent that, the inclusion of the work in the cable programme service is (apart from that subsection) licensed by the owner of the copyright in the work.

(6) In this section "qualifying service" means, subject to subsection (8), any of the following services—

(a) a regional or national Channel 3 service,

(b) Channel 4, Channel 5 and S4C,

(c) the teletext service referred to in section 49(2) of the Broadcasting Act 1990,

(d) the service referred to in section 57(1A)(a) of that Act (power of S4C to provide digital service), and

(e) the television broadcasting services and teletext service of the British Broadcasting Corporation;

and expressions used in this subsection have the same meaning as in Part I of the Broadcasting Act 1990.

(7) In this section "relevant requirement" means a requirement imposed under—

(a) section 78A of the Broadcasting Act 1990 (inclusion of certain services in local delivery services provided by digital means), or

(b) paragraph 4 of Part III of Schedule 12 to that Act (inclusion of certain services in diffusion services originally licensed under the Cable and Broadcasting Act 1984).

(8) The Secretary of State may by order amend subsection (6) so as to add any service to, or remove any service from, the definition of "qualifying service".

(9) The Secretary of State may also by order—

(a) provide that in specified cases subsection (3) is to apply in relation to broadcasts of a specified description which are not made as mentioned in that subsection, or

(b) exclude the application of that subsection in relation to broadcasts of a specified description made as mentioned in that subsection.

(10) Where the Secretary of State exercises the power conferred by subsection (9)(b) in relation to broadcasts of any description, the order may also provide for subsection (4) to apply, subject to such modifications as may be specified in the order, in relation to broadcasts of that description.

(11) An order under this section may contain such transitional provision as appears to the Secretary of State to be appropriate.

(12) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Royalty or other sum payable in pursuance of section 73(4)

73A.—(1) An application to settle the royalty or other sum payable in pursuance of subsection (4) of section 73 (reception and re-transmission of broadcast in cable programme service) may be made to the Copyright Tribunal by the copyright owner or the person making the broadcast.

(2) The Tribunal shall consider the matter and make such order as it may determine to be reasonable in the circumstances.

(3) Either party may subsequently apply to the Tribunal to vary the order, and the Tribunal shall consider the matter and make such order confirming or varying the original order as it may determine to be reasonable in the circumstances.

(4) An application under subsection (3) shall not, except with the special leave of the Tribunal, be made within twelve months from the date of the original order or of the order on a previous application under that subsection.

(5) An order under subsection (3) has effect from the date on which it is made or such later date as may be specified by the Tribunal."

2.—(1) Section 134 of that Act (licences in respect of works included in re-transmissions) is amended as follows.

(2) At the beginning of subsection (1) there is inserted "Subject to subsection (3A)".

(3) After subsection (3) there is inserted—

"(3A) This section does not apply in relation to any application under section 73A (royalty or other sum payable in pursuance of section 73(4))."

3. In section 149 of that Act (jurisdiction of Copyright Tribunal) before paragraph (a) there is inserted—

"(za) section 73 (determination of royalty or other remuneration to be paid with respect to re-transmission of broadcast including work);".

4. In section 205B of that Act (jurisdiction of Copyright Tribunal under Part II) after paragraph (c) there is inserted—

"(cc) paragraph 19 of Schedule 2 (determination of royalty or other remuneration to be paid with respect to re-transmission of broadcast including performance or recording);".

5. For paragraph 19 of Schedule 2 to that Act there is substituted—

"Reception and re-transmission of broadcast in cable programme service

19.—(1) This paragraph applies where a broadcast made from a place in the United Kingdom is, by reception and immediate re-transmission, included in a cable programme service.

(2) The rights conferred by Part II in relation to a performance or recording included in the broadcast are not infringed if and to the extent that the broadcast is made for reception in the area in which the cable programme service is provided; but where the making of the broadcast was an infringement of those rights, the fact that the broadcast was re-transmitted as a programme in a cable programme service shall be taken into account in assessing the damages for that infringement.

(3) Where—

(a) the inclusion is in pursuance of a relevant requirement, but

(b) to any extent, the area in which the cable programme service is provided ("the cable area") falls outside the area for reception in which the broadcast is made ("the broadcast area"),

the inclusion in the cable programme service (to the extent that it is provided for so much of the cable area as falls outside the broadcast area) of any performance or recording included in the broadcast shall, subject to sub-paragraph (4), be treated as licensed by the owner of the rights conferred by Part II in relation to the performance or recording, subject only to the payment to him by the person making the broadcast of such reasonable royalty or other payment in respect of the inclusion of the broadcast in the cable programme service as may be agreed or determined in default of agreement by the Copyright Tribunal.

(4) Sub-paragraph (3) does not apply if, or to the extent that, the inclusion of the work in the cable programme service is (apart from that sub-paragraph) licensed by the owner of the rights conferred by Part II in relation to the performance or recording.

(5) The Secretary of State may by order—

(a) provide that in specified cases sub-paragraph (2) is to apply in relation to broadcasts of a specified description which are not made as mentioned in that sub-paragraph, or

(b) exclude the application of that sub-paragraph in relation to broadcasts of a specified description made as mentioned in that sub-paragraph.

(6) Where the Secretary of State exercises the power conferred by sub-paragraph (5)(b) in relation to broadcasts of any description, the order may also provide for sub-paragraph (3) to apply, subject to such modifications as may be specified in the order, in relation to broadcasts of that description.

(7) An order under this paragraph may contain such transitional provision as appears to the Secretary of State to be appropriate.

(8) An order under this paragraph shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(9) Expressions used in this paragraph have the same meaning as in section 73."

6. After paragraph 19 of Schedule 2 to that Act there is inserted—

"19A.—(1) An application to settle the royalty or other sum payable in pursuance of sub-paragraph (3) of paragraph 19 may be made to the Copyright Tribunal by the owner of the rights conferred by Part II or the person making the broadcast.

(2) The Tribunal shall consider the matter and make such order as it may determine to be reasonable in the circumstances.

(3) Either party may subsequently apply to the Tribunal to vary the order, and the Tribunal shall consider the matter and make such order confirming or varying the original order as it may determine to be reasonable in the circumstances.

(4) An application under sub-paragraph (3) shall not, except with the special leave of the Tribunal, be made within twelve months from the date of the original order or of the order on a previous application under that sub-paragraph.

(5) An order under sub-paragraph (3) has effect from the date on which it is made or such later date as may be specified by the Tribunal.".'.—[*Mr. Wood.*]

Brought up, read the First and Second time, and added to the Bill.

Madam Deputy Speaker: New schedule 1 and amendment (a) are not moved.

Clause 1

MULTIPLEX SERVICES AND DIGITAL PROGRAMME SERVICES

Mr. Sproat: I beg to move amendment No. 173, in page 2, line 5, after 'programmes' insert

'(together with any ancillary services, as defined by section 22(2))'.

Madam Deputy Speaker: With this, it will be convenient to discuss the following amendments: Government amendments Nos. 174 to 176.

No. 143, in clause 8, page 9, line 4, after

'services', insert 'and digital additional services'.

Government amendments Nos. 177 to 180 and 182.

No. 142, in clause 12, page 11, leave out lines 38 to 41.

Government amendment No. 183.

No. 144, in page 12, line 9, after

'services', insert 'and digital additional services'.

No. 145, in page 12, leave out lines 14 to 21.

Government amendments Nos. 184 to 192, 14 to 16, 193, 17, 194 to 202, 18, 203, 207 to 211, 19 and 212 to 215.

Mr. Sproat: There are many amendments and changes in this group of amendments and I assure the House that I do not aim to speak at such length again during further consideration of the Bill.

I announced on the final day of Committee that the Government intended to end the current practice of advertising on ancillary services, following representations that my Department had received from the Independent Television Commission. Owing to the point we had reached in the Bill's passage, my announcement in Committee had to serve as the most effective means of alerting the ITV companies, Channel 4 and others to our thinking on the analogue regulation of ancillary services. My announcement has enabled the ITV companies, Channel 4 and other interests to make their views known to me on this issue and I met Mr. Leslie Hill, the chairman of the ITV Association last week, to discuss it.

In the light of my discussions with the ITVA, I am persuaded that, on balance, we should not impose new regulatory controls in this area. The ITVA assures me that it regards the limited advertising that it carries on ancillary services as an adjunct to the services that it offers advertisers who purchase spot-advertising broadcasts in commercial breaks between programmes. Given that the ITC has the power to regulate this activity and to tighten its current guidelines, if it believes that the distinction that I have outlined is being abused, I have decided not to pursue the matter.

This large group of amendments adjusts the provisions of the Bill with regard largely to additional and ancillary services. Amendments Nos. 183, 185, 187, 188, 191, 194, 208 to 211 and 213 provide that ancillary services, electronic programme guides and conditional access data for television or radio programmes should not be counted towards the 10 per cent. limit for additional services. However, electronic programme guides will still need an additional services licence. Amendments Nos. 173 and 195 put it beyond doubt that digital ancillary services are within the scope of the regulator's general powers.

Amendment No. 174 provides that, on television multiplexes, any service consisting wholly or mainly of still pictures will be an additional service. On radio, some additional services might be receivable either as sound or text, perhaps depending on technology in the receiver. Amendment No. 197 ensures that such services will be categorised as additional services.

Amendments Nos. 175 and 198 allow the Government, by affirmative order, to amend the definitions of programme services, and therefore what is counted as an additional service, to take account of technological developments. Amendments Nos. 176 and 199 are technical. They ensure that the Bill does not inadvertently require local delivery service licensees to obtain a multiplex licence.

Clause 9 allows the ITC to bundle multiplex licences, where it believes that that would be the most appropriate way to advertise them, so that they will be more commercially attractive. Amendments Nos. 177 to 180 clarify the way in which the ITC shall consider the award of multiplex licences that have been advertised in this way. The ITC had asked us to clarify the advertisements.

Amendment No. 182 has also been made at the behest of the ITC. It allows it to include whatever aspects of a multiplex provider's technical plan it sees fit in the multiplex licence. Amendment No. 207 makes the same adjustment with provisions covering radio multiplexes.

Amendments Nos. 192, 12, 15 and 16 tidy up arrangements for the order-making power that the Secretary of State will exercise to reserve capacity for existing broadcasters. Amendment No. 192 makes it clear that the Secretary of State may, in any order made under clause 26, provide that clauses 7 to 16 and 18 and 19, which are to do with licensing multiplexes and digital programme services, may not apply, or may be modified, with regard to certain multiplexes that are to carry existing broadcasters. That will allow us to deal with the particular circumstances of the channel 3/4 multiplex, which will be operated by the broadcasters, and the Channel 5/S4C multiplex, which will be shared with new broadcasters. The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has tabled an interesting amendment on that matter, which we shall come to later.

Amendments Nos. 14, 15 and 16 clarify the terminology and purposes of clause 26(3)(c). Clause 26(3) allows the Secretary of State to provide, by order, for the ITC to vary the existing analogue licences under which channels 3, 4 and 5 provide their services. When they take up their guaranteed places and provide digital simulcasts of their analogue services, the simulcasts will be covered

[Mr. Sproat]

by those existing licences, but some conditions of those licences will need to be varied to cover the different circumstances of the digital services.

Amendment No. 17 corrects the definitions contained in clause 35 relating to channel 3. Amendment No. 200 reflects an undertaking that I gave in Committee. The Secretary of State may amend the simulcast requirements for national independent radio services. The amendment provides that she must consult bodies representing listeners before doing so.

Amendment No. 201 introduces a flexibility, suggested by the Radio Authority, into the distinction between national and local radio multiplexes. It may, in certain circumstances, be desirable to provide for local radio stations to broadcast on a national radio multiplex. For example, early indications are that there may be problems in finding frequencies to provide any digital local radio in Northern Ireland. If that turns out to be the case, this provision will allow the Secretary of State to direct the Radio Authority to reserve some capacity on the national radio multiplex in Northern Ireland for such a service.

Amendment No. 202 fulfils my commitment in Committee to the hon. Member for Ashfield (Mr. Hoon). The proposal was also made by the Radio Authority. As the Bill stands, the guaranteed radio capacity for the INR stations is what is needed to reproduce the service on digital at the same technical quality as on analogue. That ignores two factors. First, AM quality is inferior to FM quality, so it might put Virgin and Talk Radio at a disadvantage; secondly, broadcasters should be able to use DAB to improve quality. Amendment No. 202 puts that right by giving the authority discretion to take those factors into account.

Amendment No. 18 is a simple drafting amendment. Amendment No. 203 makes it clear that in considering what capacity should be reserved for the BBC and local radio multiplexes, the Radio Authority should have regard to the likely pressure for places on the multiplex from the independent sector.

Amendment No. 19 corrects an earlier drafting error which omitted the fine for breach of local radio multiplex licence conditions from the list of fines which could be amended by order. Amendments Nos. 214 and 215 add digital programme and digital sound programme services to the list of services carried by a local delivery—that is a cable service. Here end the Government amendments.

I propose to respond briefly to the further amendments in this group since, as many hon. Members will know, we had detailed discussions in Committee regarding the balance that we are seeking to achieve between digital programme services and additional services. I said then, and I say again now, that while the Government believe that digital terrestrial multiplexes should be used primarily for television services, we fully recognise also that additional services may play an important part in the digital future and may help attract some customers to obtain digital receivers.

We listened carefully to the arguments on the issue and we responded to ensure that the whole of the 10 per cent. of each multiplex that could be used for additional services is available for services that are genuinely additional and not taken up with the data that are really closely linked with programme services. That is the purpose of amendment No. 183 and some of those grouped with it, which provide that all ancillary services, all electronic programme guides and all television conditional access data will count as part of the 90 per cent. reserved primarily for programme services.

The amendment tabled by the hon. Member for Newham, North–East (Mr. Timms) seeks to include a variety of additional services as specific criteria for the award of multiplex licences. That is not appropriate. That does not mean that there is no scope for the ITC to take the proposals for additional services into account when awarding licences. The overarching criterion of clause 8 states that the ITC shall award licences to those proposals best calculated to promote the development of digital television broadcasting.

Should an applicant have proposals for additional services which appear likely to be profitable and so will contribute to the viability of digital television and perhaps to a further investment in digital technology, that can be taken into account. Should proposals for additional services appear likely to attract substantial numbers of people to buy digital receivers, that too can be taken into account.

Sir Wyn Roberts (Conwy): Will my hon. Friend give way?

Madam Deputy Speaker: The Minister has finished.

Mr. Geoffrey Hoon (Ashfield): We are able to welcome these amendments, not least because, as the Minister generously conceded, many of them were suggested by Opposition Members in Committee. I should like to press the Minister a little on the Government's decision to withdraw amendment No. 21.

The amendment arose out of a debate in Committee concerned with electronic programme guides for the new digital as well as existing analogue services. Concern was expressed in Committee that the original wording of section 48(3)(c) of the Broadcasting Act 1990 was designed to allow electronic programme guides for analogue television. Since 1990, due to the uncertainty of the legislation, channel 3 companies in particular have not proceeded with such programme guides. On the other hand, Teletext was concerned that, having secured a public teletext licence on one financial basis, any amendment to the 1990 Act might require it to continue with the arrangements on another.

It was obvious in Committee that there was a need for greater clarification. The Minister undertook in fairly clear words to table an amendment on Report. He said:

> "Following representations that my Department received from the ITC for clarification of the Government's intentions about the matter, we have decided to make it absolutely clear, by amending the 1990 Act, that advertising should not be carried on ancillary services. We shall bring forward an amendment on Report to implement that."—[*Official Report, Standing Committee D*, 18 June 1996; c. 717.]

Concern has been expressed, in particular, by Teletext, which has written to us saying that there may be serious commercial damage to the company as a result of the Government's decision to withdraw the clarification of the 1990 Act. By withdrawing the amendment, it seems that the uncertainty over the interpretation of the 1990 provision will continue. That is unsatisfactory.

I listened carefully to what the Minister said about having a meeting with Leslie Hill of the ITV Association. It is understandable that there should be concern, but I wonder whether it would have been appropriate to have a meeting with Teletext or its representatives. It appears that part of a complicated compromise, and an undertaking by the Minister in Committee, have been abandoned in the face of representations from one interested party only.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I do not share the line taken by my hon. Friend that the amendments were tabled without any consultation with the regional television stations. A company such as HTV would certainly have been affected, and would have made its representations before amendments were tabled. The Minister is, rightly and properly, responding to the impact that the amendments would have had on the revenues of small regional television stations.

6.15 pm

Mr. Hoon: I appreciate that argument, and I am not necessarily taking sides between Teletext and the channel 3 companies. Having had a discussion in Committee, where attempts were made to produce a sensible and workable compromise, what appears to have happened in the light of the Minister's undertaking is that only one argument has been addressed by the Government in their decision to withdraw the amendment. I am not saying that I would necessarily have reached a different conclusion, but, after a long and detailed discussion in Committee, it is unfortunate that the matter appears to have been resolved in this way.

Sir Wyn Roberts: I want to follow up the point made by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and express my appreciation to my hon. Friend the Minister for not pursuing amendment No. 21. I listened carefully to his list of Government amendments. I attempted to intervene earlier to ask about amendments Nos. 20 and 21, which, as I understand it, would stop the ITV companies using their teletext pages in support of regional on-screen advertisements. As the hon. Member for Merthyr Tydfil and Rhymney mentioned, that would have cost HTV a significant amount, because, over the past year or so, it has invested £750,000 in providing that service to assist its advertisers. Teletext apparently does not operate in that area, so its monopoly would not be affected.

Mr. Stephen Timms (Newham, North–East): I wish to speak to amendments Nos. 142, 143, 144 and 145, which are in my name.

The distinction that the Bill draws between programme services and additional data services in the licensing of digital television multiplexes is unnecessary and unhelpful. The further requirement that multiplex operators will be obliged to ensure that at least 90 per cent. of their capacity comprises what are called programme services, is arbitrary. I fear that, before long, it could emerge as a substantial roadblock in the development of a United Kingdom information super-highway.

My central amendment, No. 142, would remove that distinction and the 90 per cent. requirement. The reason for doing that is the sheer speed of technological development. The already blurred line between programme services and other services will very quickly become non-existent.

The Government have attempted to clarify matters, and, as far as they go, I welcome amendments Nos. 183 to 185, which include in the programme section of the multiplex all the programme-related services and relevant technical services. There is a problem in that the amendments compound the confusion. The definitions are very difficult to make, and I worry that they are vague and will be very hard to interpret.

There is already confusion in the industry about what will fall into which definition. If I understood the Minister correctly a few moments ago, he said that electronic programme guides will belong in the 90 per cent. of programme services. I welcome that, because there has been some debate about what will happen.

The truth is that, within a very short time, the range of transmitted information on these services will cover a seamless continuum. In the Bill, we are creating a rather clumsy boundary by dividing programming from the rest—the 90 per cent. from the 10 per cent. Very soon, that boundary will become entirely unworkable.

My amendments are widely supported in the broadcasting and telecommunications industries. Perhaps it is not surprising that they are supported in the telecommunications industry. In a note to me about the amendments, British Telecom has stressed

"the important contribution that the integration of broadcasting and interactivity can make—it must not be stifled through inadvertent, if well intentioned, restrictions on its development."

I agree with that.

The Government should know that there is strong support for these amendments from programme makers in the television industry. The ITV Association has confirmed to me today that it does not oppose the amendments, and Carlton Television has written to me to express its firm backing for them. Carlton said in its letter:

"The ability to offer innovative services is an important feature of digital technology, and to arbitrarily restrict the capacity, may result in DTT [Digital Terrestrial Television] being significantly less attractive than other competing distribution systems."

Mrs. Anne Campbell: I wonder if my hon. Friend is aware of the excellent electronic guide that is offered by the BBC on the Internet. It demonstrates very well how interactivity will work: it allows one to programme in available channels and one's programme preferences, and to receive daily a fully personalised list of possible viewing. That is a good example of the type of innovation that we will see in the future, to which interactivity will contribute a great deal.

Mr. Timms: I am grateful to my hon. Friend for that excellent point. That service is exactly the type of innovative and imaginative new service that we will see growing up very rapidly. We must ensure that the regulatory framework allows the potential of digital television to grow and prosper.

My amendments are not prescriptive or restrictive, and they do not set a minimum level for additional services. They simply allow the industry to pursue increasing convergence between broadcasting and interactive services, unhindered by arbitrary restrictions. They allow the ITC to encourage the development of a vibrant

[Mr. Timms]

interactive services industry—which we all want to see—overlapping and intertwined with digital television. That will hold out the prospect of all types of economic and social advantages in the years ahead.

The amendments also remove the need to distinguish programme services from non-programme services, which will be extremely and increasingly difficult to do. For all those reasons, I commend these amendments.

Mr. Rowlands: We are very relieved that the Government are not proceeding with their amendments. I appreciate the point made by my hon. Friend the Member for Ashfield (Mr. Hoon) that he was not taking sides, because there would have been a point to consider other than that made by the right hon. Member for Conwy (Sir W. Roberts). Not only HTV was affected; so was S4C. One had the bizarre thought that Teletext might have to provide an advertising service in Welsh, and I think that that might have defeated it.

I should like to know about teletext's potential development, with the amount of digital space it has been offered. As I understand it, teletext is composed of graphics and no sound. With the new digital capacity, will the teletext service have some form of moving pictures and sound if there are sufficient megabytes? Will it be possible to develop CD-ROM quality?

Mr. Gale: The fact is that Teletext has been given insufficient capacity to develop its services to the full extent, which means that very serious restraints will be imposed on the service it provides. The withdrawal of this Government amendment probably will enhance those restraints.

Mr. Rowlands: I did not say which side I would support. I was trying to discover to what extent we are offering such a service. Presumably clearer pictures can now be developed with the given megabytes. I am not promoting the idea, but simply inquiring how far we have gone in the Bill in saying how teletext might develop.

Mr. Sproat: I should like to tell the hon. Member for Ashfield (Mr. Hoon) that I quite agree that it is undesirable that, late in the Committee stage, we should make a series of proposals and then decide to drop them. What happened—there is no criticism of anyone in this—is that, in the middle of the Committee stage, we received from the ITC proposals that we should act on teletext, as I described to the Committee. That was the first opportunity that I had to tell the Committee, and I did so.

I subsequently received representations. Companies such as HTV would have been severely hit, as my right hon. Friend the Member for Conwy (Sir W. Roberts) has said. I was struck by the force of their arguments, and I invited the ITV Association to come to see me. My officials also heard the arguments of Teletext Ltd. It became clear in the course of those discussions—the majority of which I attended—that a serious under-estimate of the amount of advertising received by small companies had been made.

Therefore, I decided—on balance, having listened to the ITVA and having heard what Teletext Ltd. had to say—that we should withdraw our proposals. Obviously the ITC will monitor the situation very closely. However, I am satisfied that, on balance, we did the right thing in allowing particularly the smaller stations to maximise their income from this source.

To answer the specific question of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), the teletext cannot be moving.

Amendment agreed to.

Amendments made: No. 174, in page 2, line 8, leave out from 'service' to end of line 12 and insert—

'(b) a teletext service, or

(c) any service in the case of which the visual images to be broadcast do not consist wholly or mainly of images capable of being seen as moving pictures,

except, in the case of a service falling within paragraph (b) or (c), to the extent that it is an ancillary service.'.

No. 175, in page 2, line 12, at end insert—

'(4A) The Secretary of State may, if having regard to developments in broadcasting technology he considers it appropriate to do so, by order amend the definition of "digital programme service" in subsection (4).

(4B) No order under subsection (4A) shall be made unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.'

No. 176, in page 2, line 14, leave out 'by satellite' and insert—

'(a) by satellite, or

(b) in the provision of a local delivery service (as defined by section 72(1) of the 1990 Act)'.—*[Mr. Wood.]*

Clause 2

MEANING OF "INDEPENDENT ANALOGUE BROADCASTER" AND "QUALIFYING SERVICE"

Amendments made: No. 56, in page 2, line 21, leave out lines 21 to 23 and insert—

'(d) the public teletext provider,'.

No. 57, in page 2, line 24, leave out 'subsection (4)' and insert 'subsections (4) and (4A)'.

No. 58, in page 2, line 27, leave out '(c) or (d)' and insert 'or (c)'.

No. 59, in page 2, line 36, at end insert 'and'

No. 60, in page 2, line 37, leave out from '5' to end of line 38.

No. 61, in page 2, line 42, at end insert—

'(4A) If—

(a) the public teletext provider notifies the Commission, within the period of one month beginning with the commencement of this section, of his intention to provide a teletext service for broadcasting in digital form, and

(b) the Commission consent under section (*The qualifying teletext service*) to his provision of that service,

that service (in this Part referred to as "the qualifying teletext service") shall be a qualifying service for the purposes of this Part.

(4B) In this Part "public teletext provider" means the person who holds the additional services licence (within the meaning of Part I of the 1990 Act) which relates to the teletext service referred to in section 49(2) of that Act.'—*[Mr. Wood.]*

Clause 3

LICENCES UNDER PART I

Mr. Austin Mitchell: I beg to move amendment No. 268, in page 3, line 31, at end insert

'which shall not be given until the licence has been publicly advertised and the Commission has assessed the existing provision against alternative bidders'.

Madam Deputy Speaker: With this, it will be convenient to discuss amendment No. 267, in clause 38, page 32, line 14, at end insert

'which shall only be given after the licence has been re-advertised, other bids invited and the Authority has compared alternative proposals to the existing provision and is satisfied that it is superior.'.

Mr. Mitchell: My amendments are an attempt to stop the process of takeovers that has changed the shape of radio and television. The rash of takeovers in television—it has been worse in radio—was not allowed until 1990. Now Yorkshire Television has taken over Tyne Tees Television; Carlton has taken over Central; and Granada has taken over London Weekend Television.

The rash of takeovers in radio started earlier, and now, across the country, local stations have been taken over and amalgamated into big radio chains such as GWR and EMAP. In many cases, the chains are centrally run, with centrally determined playlists and promotion patterns, while local figures have been moved around. All stations provide much the same type of service, although in different areas, with jukeboxes placed across the country—born free, but everywhere in chains.

These developments have gone too far. My amendments are an attempt to stop further progress, although I realise that it is a belated attempt, because the takeover process has gone so far. Certainly the idea behind television—and, earlier, behind radio—was that there should be a federal system of locally based companies serving and putting roots down into the region, reflecting the region's life in its network programmes—whether Yorkshire life, northern life, or Lancashire life in "Coronation Street"—and providing centres of excellence in each area, which is important for diversity in this country. There are centres of excellence in television in Leeds, Newcastle and so on, which would not otherwise exist, because there is a tendency, in such occupations, for talent to gravitate to London. All that is now being undermined; indeed, the undermining process has gone a long way. We have witnessed the rundown of Central Television in Birmingham and the way in which many companies have effectively become shell companies.

6.30 pm

The argument that bigger-scale companies are needed to compete in the world market is fallacious—those companies are not competing in the world market, but if they do, it must be on the excellence of their production from locally based talent, reflecting local life in the region. Scale just brings an ability to shed staff and increase profits, which is what has been happening. I do not want that process to go any further.

My amendments would require both the Radio Authority and the ITC, when a change of control is threatened—when somebody is trying to get control through the back door by taking over a company to which the Radio Authority or the ITC has given a licence to serve the area—to throw the whole matter back into the melting pot and allow other applicants to come forward to take up the challenge.

It is not necessarily true that an outsider taking over an existing company can provide a better service than someone else starting anew. Therefore, the licences should be re-advertised to stop the threat of takeovers. I want the Government to pay more attention to that, rather than creating an environment in which everyone is waiting at the starting tape ready to take over companies as soon as the Bill becomes law.

Mr. Sproat: These amendments would, in effect, lead to new competitions for the licences whenever any change in control was proposed. The present arrangements allow the regulators to look carefully at any proposed transfer, so that they can satisfy themselves that there is no transgression of the rules on media ownership, and that the person to whom the licence is to be transferred is not disqualified and is a fit and proper person. This is as it should be. The licence remains in place, and if the new controller does not comply with its conditions, the regulator has the usual enforcement procedures at his disposal.

With that explanation, I hope that the hon. Gentleman will withdraw his amendment.

Mr. Austin Mitchell: The Minister's explanation is not adequate. I want new competition to be allowed. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 7

MULTIPLEX LICENCES

Amendment made: No. 228, in page 8, line 3, leave out 'the service' and insert

'all the multiplex services available in that area'.—*[Mr. Wood.]*

Clause 8

AWARD OF MULTIPLEX LICENCES

Amendment made: No. 229, in page 9, line 8, leave out 'the service' and insert

'all the multiplex services available in that area'.—*[Mr. Wood.]*

Clause 9

POWER TO REQUIRE TWO OR MORE MULTIPLEX LICENCES TO BE GRANTED TO ONE PERSON

Amendments made: No. 177, in page 9, line 29, leave out 'and 8(2)(c) and (e)'.

No. 178, in page 9, line 32, leave out 'and'.

No. 179, in page 9, line 33, leave out from beginning to 'to' and insert

'in section 8(2), the reference in paragraph (d)'.

No. 180, in page 9, line 35, at end insert

'and other references to the proposed service shall have effect as references either to each of the proposed services or to all of them considered together, as the Commission consider appropriate'.—*[Mr. Wood.]*

Clause 11

FAILURE TO BEGIN PROVIDING LICENSED SERVICE AND FINANCIAL PENALTIES ON REVOCATION OF LICENCE

Mr. Sproat: I beg to move amendment No. 181, in page 10, line 34, leave out 'financial penalty' and insert

'specified financial penalty not exceeding whichever is the greater'.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss Government amendments Nos. 204 to 206.

Mr. Sproat: These amendments fulfil a commitment made in Committee. Amendment No. 181 allows the ITC discretion to levy a fine of less than £50,000 or the specified percentage of qualifying revenue, whichever is the greater, when it revokes a multiplex licence because the multiplex provider has failed to begin providing the service. Amendments Nos. 204 to 206 make the same arrangements with regard to radio multiplexes.

Amendment agreed to.

Clause 12

CONDITIONS ATTACHED TO MULTIPLEX LICENCE

Amendments made: No. 182, in page 11, line 11, after 'timetable' insert 'and other proposals'.

No. 165, in page 11, line 37, at end insert 'and'.

No. 183, in page 11, line 41, leave out 'or qualifying services' and insert

', qualifying services, programme-related services or relevant technical services'.—*[Mr. Wood.]*

Amendment proposed: No. 166, in page 11, line 42, leave out from beginning to end of line 3 on page 12.—*[Mr. Wood.]*

Question put, That the amendment be made:—

The House divided: Ayes 282, Noes 260.

Division No. 165] **[6.34 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hasselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Horden, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'ford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James

Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Derek Conway and
Mr. Roger Knapman.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert Aberdeen N
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Janner, Greville
Jenkins, Brian *(SE Staff)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex

Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islington S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Greg Pope and
Mr. Dennis Turner.

Question accordingly agreed to.

Amendments made: No. 184, in page 12, line 14, after '(1)(h)' insert—

'(a)".

No. 62, in page 12, line 14, leave out from 'the' to end of line 15 and insert 'qualifying teletext service'.

No. 185, in page 12, line 15, at end insert—

'(b) "programme-related service" means any digital additional service consisting in the provision of services (apart from advertising) which—

(i) are ancillary to the programmes included in one or more television programme services (within the meaning of Part I of the 1990 Act) and are directly related to the contents of those programmes, or

(ii) relate to the promotion or listing of such programmes, and

(c) "relevant technical service" means any technical service which relates to one or more digital programme services.'.—*[Mr. Wood.]*

Clause 19

DURATION AND CONDITIONS OF DIGITAL PROGRAMME LICENCE

Amendment made: No. 186, in page 19, line 30 at end insert

', in relation to each service provided under the licence,'.—*[Mr. Wood.]*

Clause 20

CODE RELATING TO PROVISION FOR DEAF AND VISUALLY IMPAIRED

Amendments made: No. 167, in page 20, line 47, after 'services' insert 'and qualifying services'.

No. 168, in page 21, line 5, at end insert—

'(1A) In this section "assistance" means assistance of any of the following three kinds, namely—

(a) subtitling for the deaf,

(b) audio-description for the blind, and

(c) presentation in, or translation into, sign language.

(1B) The code must require that, as from the tenth anniversary of the date of the commencement of the provision of any digital programme service, in each week—

(a) at least 50 per cent of so much of the service as consists of programmes which are not excluded programmes in relation to subtitling for the deaf is to be accompanied by such subtitling, and

(b) at least 10 per cent of so much of the service as consists of programmes which are not excluded programmes in relation to audio-description for the blind is to be accompanied by such audio-description.

(1C) The code must specify—

(a) in relation to subtitling for the deaf, those classes of programmes in relation to which the Commission consider that it would be inappropriate for the requirement in paragraph (a) of subsection (1B) to apply, and

(b) in relation to audio-description for the blind, those classes of programmes in relation to which the Commission consider that it would be inappropriate for the requirement in paragraph (b) of that subsection to apply.

(1D) If an order under section (*Powers of Secretary of State in relation to code about provision for deaf and visually impaired*)(1)(b) is in force, the code must also specify, in relation to presentation in, or translation into, sign language, those classes of programmes in relation to which the Commission consider that it would be inappropriate for the requirements specified to in the order to apply.

(1E) In determining under subsection (1C) or (1D) whether it is appropriate for a particular requirement to apply to any class of programmes, the Commission shall have regard, in particular, to the benefit which the assistance would be likely to confer on the persons for whom it is intended and to the technical difficulty of providing it.

(1F) In this section "excluded programme", in relation to assistance of a particular kind, means a programme falling within a class specified under subsection (1C) or (1D) in relation to assistance of that kind.

(1G) Without prejudice to the generality of subsection (1), the code may—

(a) require persons providing digital programme services, at any time or times before the anniversary referred to in subsection (1B), to meet specified targets in relation to subtitling for the deaf or audio-description for the blind,

(b) require a specified percentage of so much of any digital programme service as consists of programmes which are not excluded programmes in relation to presentation in, or translation into, sign language, to be so presented or translated, and

(c) require, in relation to assistance of any kind, a specified percentage of so much of any digital programme service as consists of excluded programmes falling within a specified class to be accompanied by assistance of that kind.

(1H) In subsection (1G) "specified" means specified in, or determined by the Commission under, the code.

(1J) Subsections (1B) and (1G), so far as relating to audio-description for the blind or presentation in, or translation into, sign language, shall have effect as if any reference to a digital programme service included a reference to a qualifying service.

(1K) The Commission may determine that, for the purposes of any provision included in the code in pursuance of subsection (1B), a digital programme service provided by any person is to be treated as a continuation of a digital programme service previously provided by him.'

No. 169, in page 21, line 6, leave out 'subsection (1)' and insert 'this section'.

No. 170, in page 21, leave out lines 10 and 11.

No. 171, in page 21, line 16, at end insert—

'(4A) In this section—

"programme" does not include an advertisement;

"qualifying service" does not include the qualifying teletext service.'—*[Mr. Wood.]*

Clause 22

DIGITAL ADDITIONAL SERVICES

Amendments made: No. 187, in page 22, line 39, leave out 'or an ancillary service' and insert

', an ancillary service or a technical service.'

No. 188, in page 22, line 41, leave out 'subsection (1)' and insert 'this Part'.

No. 189, in page 22, line 44, leave out

'provided by means of a teletext service'.

No. 190, in page 23, line 1, leave out from 'which' to end of line 2 and insert—

'(i) are ancillary to such programmes and directly related to their contents, or

(ii) relate to the promotion or listing of such programmes.'.

No. 191, in page 23, line 2, at end insert—

'(3) In this Part "technical service" means a service which—

(a) is provided for technical purposes connected with the encryption or decryption of one or more digital programme services or digital additional services, and

(b) is of a description specified in an order made by the Secretary of State.

(4) An order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'—*[Mr. Wood.]*

Clause 26

PROVISION FOR BROADCASTING OF SERVICES PROVIDED BY INDEPENDENT ANALOGUE BROADCASTERS

Mr. Rowlands: I beg to move amendment No. 250, in page 25, line 30, leave out 'one or two' and insert 'up to three'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 251, in page 25, line 30, at end insert—

'(2A) Provided that the Secretary of State shall exercise his power to make directions under subsection (2) above so as to secure that each of the independent analogue broadcasters mentioned in paragraphs (a) to (c) of section 2(1) either becomes the operator of the multiplex in question or is in a position to approve the operator.'.

Mr. Rowlands: The amendments seek to amend clause 26, which empowers the Secretary of State to do what he has already stated in policy terms that he intends to do: allow channels 3 and 4 to decide who their multiplex operators will be. Thus the Government have agreed that the BBC will be its own multiplex operator, presumably through its privatised transmission system, and channels 3 and 4 will be able to make arrangements either to control or to determine who their multiplex operators will be. So all three public service broadcasters will have such a right.

In the broadcasting scene, however, there are two other public service broadcasters: the new Channel 5 and the present S4C. The Bill recognises that they are two additional public service broadcasters as they are qualifying services. The amendments empower the Secretary of State to give S4C and Channel 5 the same relationship with their multiplex operators as channels 3 and 4. I cannot see why a distinction has been made. They are public service broadcasters, exactly like channels 3 and 4, and their needs in terms of a multiplex operator are the same. I am sure that both Channel 5 and S4C have expressed to the Department their wish to collaborate and co-operate in that respect, as there could be considerable conflicts of interest between their needs and those of a commercial multiplex operator.

In Wales, the whole of multiplex 3 will be taken up by the public service broadcasters, that is, S4C and Channel 5. In the rest of the United Kingdom, half of multiplex 3 will be taken up by Channel 5, which will be a public service broadcaster. It is therefore not unreasonable to propose that the Minister grant those two public service broadcasters the same position as he has granted to channels 3 and 4 and the BBC.

The real worry is that a multiplex operator's commercial interests could differ greatly from the needs of both Channel 5 and S4C. Let me illustrate that by reference to Channel 5. It will be vital for Channel 5 to achieve digital status as early as possible. Under analogue arrangements, it will have an extremely restricted capacity to access viewers. I shall paint a grimmer picture of that when I present my next amendments, which dwell on the transmission problems that will arise in Wales.

There is no doubt that Channel 5 will want to develop digital services as rapidly as possible, because only then will it be able to reach out to a much wider audience than will be available to it under analogue. It will be in Channel 5's interests to do that, but will it be in the interests of a commercial multiplex operator? Will it not be in a commercial multiplex operator's interest to extend digital services merely to the large conurbations already covered by Channel 5 analogue? There is undoubtedly a potential conflict of interests between the needs of a commercial multiplex operator and those of a public service broadcaster such as Channel 5, from next January. The same applies to S4C. It, too, is worried that a multiplex operator's commercial priorities may differ from its own, in reaching out to small audiences in sparsely populated areas. It would be all right if those two were not public service broadcasters. But they are, and they have a remit and duty to reach out as best they can to the widest possible audience. They should therefore not be placed in a different position from that of channels 3 and 4 or the BBC.

The amendments were designed to allow the Secretary of State to make that change. Channel 5, which must be up and running by January, hopes that the digital service will allow it to reach a much larger audience than it will be able to reach through analogue. It is worried that months could elapse before the ITC chose a multiplex operator and that that would be valuable time lost in delivering its service. S4C shares that concern.

In Welsh terms, the whole of multiplex 3 is already dedicated to the two public service broadcasters. I appreciate that the matter is slightly more complex for the rest of the United Kingdom, because Channel 5 will take up only half the multiplex. I do not suggest that Channel 5

[Mr. Rowlands]

should control the other half of the multiplex or have a right to it, but it should at least have the right to a meaningful say and control over who the multiplex operator should be, so that the operator complements and is on the same wavelength as S4C and Channel 5 in trying to deliver their service.

I shall not press my first amendment because, while I have been sitting here, I have reached the conclusion that it is redundant. I thought that I needed to lift the ceiling on the "one or two" mentioned in the Bill, but I now understand that, as the BBC is excluded, that would not be necessary. However, I am keen on the second of my two amendments because, in straightforward language by amendment standards, it is in line with the wish expressed to the Department by S4C and Channel 5. They should have a meaningful say on, if not control and ownership of, the multiplex operator, to help them to provide the best possible digital service and the fastest means of delivering it, not only in Wales but in the rest of the United Kingdom.

Mr. Sproat: The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has made so many valuable contributions to our debates in Committee that I should like to have helped him, but I cannot give him too much comfort on this matter. I shall give him a little, however.

S4C has been allocated half the third multiplex in Wales. That multiplex will also carry Channel 5. Half the multiplex in the rest of the United Kingdom, apart from Wales, is therefore free and open to new broadcasters. That is therefore quite a different position from that of channels 3 and 4, which between them will control all the capacity on the second multiplex, or the BBC, which will have control of the first multiplex. That is why it would not be fair to give to Channel 5 and S4C—given S4C's demi position on this—the same rights as channels 3 and 4, which will use the whole of the multiplex. I know that the hon. Gentleman understands that. That is why it would not be right to say that they must be the multiplex operators.

However, Channel 5 and S4C are perfectly free to bid for the multiplex licence together, separately or together with others who might wish to come on to the third multiplex, or even people who do not wish to come on to the third multiplex. If their bid succeeds, they will control the multiplex licence; if it does not, they can be certain that their position on the multiplex will be safeguarded by the ITC through the licensing of the multiplex operator.

Although Channel 5 and S4C have that guarantee and safeguard, I cannot give them the guarantee that the hon. Gentleman seeks, although I imagine that, with a guaranteed place on the multiplex in Wales, S4C will have a great influence on the multiplex operator.

With those assurances, I hope that the hon. Gentleman will withdraw the amendment.

Mr. Rowlands: The Minister mentioned the powers of the ITC and said that it can offer that type of assurance. As the Bill stands, will it be possible for Channel 5 and S4C to say to the ITC, "The multiplex operator that you are thinking about or suggesting, or that has made a bid, really would not be interested in doing what we need to do"? In other words, if they do not have the right to control or operate the multiplex, will they have a de facto veto over a potentially unfriendly multiplex operator that bids for multiplex 3?

That is extremely important because, although I partly appreciate the Minister's argument about the complicated position in the United Kingdom, where Channel 5 is only one half of the multiplex, the whole of multiplex 3 in Wales will be dedicated to two public service broadcasters, and those broadcasters have remits, duties and responsibilities. It is very important that no multiplex operator is chosen that will impede the fulfilment of the needs and wishes of a broadcasting service of the type that is represented by S4C and the new Channel 5.

7 pm

If the Minister can give me an assurance that, if nothing else, S4C and Channel 5 will have a de facto veto over the would-be multiplex operator, I should be happy to withdraw my amendment.

Mr. Sproat: Although S4C would not have a veto, it will be absolutely incumbent on the multiplex operator to provide S4C with what S4C needs to fulfil its statutory requirements. To make certain of that, I shall get my Department to make an order to that effect, so that S4C will not have a multiplex operator that does not take its needs fully and properly into account. We intend that S4C should have that, and we shall ensure that it does have that.

Sir Wyn Roberts: On timing, it is well known that the BBC and ITV, giving analogue services, will be first in the field, so they will have an advantage over competitors. Will S4C and Channel 5 have a similar advantage? Will the timing of the operation of their multiplex roughly coincide with the timing of the multiplexes that apply to ITV and the BBC?

Mr. Sproat: The Government believe that the sooner they can get it off the ground, the better. It is up to them. There will certainly be nothing that says that multiplex 1 with the BBC or multiplex 2 with channels 3 and 4 should have priority. If the third multiplex can get its act together, there is no reason why it should be behind the others.

Mr. Rowlands: Timing will be vital, as I shall show when we discuss my next amendment. However, I realise that amendment No. 250 is redundant, so I do not wish to press it.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 192, in page 25, line 44, leave out lines 44 to 46 and insert—

'(a) provide, in relation to any frequency to which this section applies—

(i) that any or all of the provisions of sections 7 to 16 and sections 18 and 19 are not to apply, or are to apply with specified modifications, and

(ii) that provisions of the order are to have effect in place of any or all of those provisions,'.

No. 14, in page 26, line 6, leave out 'qualifying service' and insert

'service specified in section 2(3) corresponding to the qualifying service ("the corresponding analogue service")'.

No. 15, in line 7, leave out

'that service in digital form'

and insert 'the qualifying service'.

No. 16, in line 10, leave out 'qualifying' and insert 'corresponding analogue'.—*[Mr. Wood.]*

Clause 28

ADVERTISEMENTS INCLUDED IN QUALIFYING SERVICES

Amendment made: No. 63, in page 27, line 6, after 'Authority' insert

'or the public teletext provider'.—*[Mr. Wood.]*

Clause 29

REVIEW OF DIGITAL TELEVISION BROADCASTING

Mr. Rowlands: I beg to move amendment No. 224, in line 12, at beginning insert

'Subject to subsection (1A) below',

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 225, in page 27, line 29, at end insert—

'(1A) The Secretary of State shall keep under separate review in relation to television services in Wales the matters specified in sub-paragraphs (1)(a)(i) to (iii) above; and for this purpose the Secretary of State may require the Commission, the Welsh Authority and the BBC to furnish him under paragraph (1)(b) above with separate reports on those matters as they relate to Wales.'.

Mr. Rowlands: These amendments seek to institute a separate review for Wales on the issue of switching off analogue and switching on digital. It is especially necessary that the Welsh aspects of the development of digital services should be the subject of a separate review. Much excitement has been expressed throughout the Bill's passage about the potential of digital terrestrial broadcasting, but how many viewers in Wales will digital services reach, and—crucially—when? Those are the facts of television life in Welsh terms, which worry any of us who are interested in broadcasting or the overwhelming majority of people who view television.

In Welsh terms, digital coverage will be physically difficult and expensive. Our services are currently delivered from six main transmitters and 187 relay stations. As I said in Committee, in Wales we have 20 per cent. of the relay stations in the United Kingdom, with 5 per cent. of the population. Going digital will therefore be expensive, and might be delayed. Such delays would cause considerable concern.

I do not know whether the Minister has read the annexes to the ITC's consultation document on the delivery of digital services. Annexe 2 lists the transmitters and relay stations that make up the ITC's minimum requirement for anyone bidding for the service. Obviously, the ITC will require the six main transmitters, but I am astonished—I hope that the Minister will share my astonishment—that the minimum requirement that any operator seeking to develop digital services must fulfil relates to only three of the 187 relay stations. Those are Aberdare, Pontypool and Kilvey, Swansea. That means that more than 30 per cent. of the digital audience coverage will not be required by the ITC.

Such a scenario raises more serious issues relating to the switching off of analogue and the switching on of digital services in Wales. It appears that, if only the ITC's minimum requirements are met, nearly 1 million people in the Glamorgan and Gwent valleys will not have access to digital through relays.

There is an additional complication. I speak of my own valley. I live almost next to a relay station, at Thomastown in Merthyr. The valleys receive analogue through relays from the Wenvoe transmitter. How can one switch Wenvoe off analogue and on to digital unless all the relay stations that feed off Wenvoe are tooled up to receive digital? It is an extremely difficult, complicated and worrying position; a potential nightmare.

When viewers start to realise the problems, difficulties and delays that will be involved in delivering digital services to the four corners of our nation, there will be increasing anger and frustration. There will be considerable concern in every household if we experience such problems.

There will be extra frustration and difficulty, because we have offered digital television as a solution to the tension that has begun to grow, especially in Gwent, as a result of the feelings of deprivation of those who do not receive Channel 4. That sentiment is expressed widely in the overwhelmingly English-speaking communities. We have said to them, "Hang on folks, you will have Channel 4 as a separate service when digital comes. The difficulties and the problems are capable of being resolved in the not too distant future. Come digital, we shall have the opportunity to have a completely separate Channel 4 service."

The Minister has said that he has read the address by Geraint Talfan Davies, who made the point that approximately 35 per cent. of Welsh households have the opportunity to opt out of Welsh services and to connect, through the transmitter in the north-west, out of Welsh services altogether. In fact, that has already happened along many parts of the south coast and in the Newport area because people want Channel 4. It has not been good for the Welsh broadcasting scene—it has threatened its identity. Digital was supposed to be the answer. However, we are concerned that we shall not get digital services in Wales in the time scale that we had hoped if a determined effort—it will be a costly effort—is not made.

In addition to that deprivation, there will be another in January: when the new Channel 5 starts to run, large portions of Wales will not be able to receive it. The map that I have in my hand shows which areas will not be able to receive Channel 5. People will have considerable problems receiving it, even with digital. Channel 5 has asked the Minister—he has not won his battle with the Department of Trade and Industry, if I can describe it in those terms—whether it can have channel 35 to extend its scope. Channel 5 is searching for frequencies that might deliver its service to a wider audience.

Potentially, we shall find ourselves incapable of switching from analogue to digital in the time scale that many other parts of the country will be able to meet. Complications and costs affect our transmission system. In addition, increasing tensions will build up over the Channel 4 issue, and they will be compounded by the inability of large parts of Wales to receive the new Channel 5 in analogue, let alone in digital.

Sir Wyn Roberts: I am sure that the hon. Gentleman is well aware that the topography of Wales does not

[Sir Wyn Roberts]

readily lend itself to complete television coverage. In addition, he will be aware of the fact that many parts of Wales are still in receipt of the VHF service, when the rest of Wales happily enjoys the UHF service.

Mr. Rowlands: I appreciate the right hon. Gentleman's knowledge in that regard—he followed those matters closely when he was a Minister in the Welsh Office. However, he will agree that there is virtually total television coverage in Wales, and that that has been provided through the relay stations. The digital services will not be provided in the time scale that we had hoped because of the cost and the considerable technical difficulties.

On 19 June, the Committee debated new clause 36, and the Minister sent me a reply to the debate—I do not know whether he sent a letter to the other members of the Committee. He stated:

"viewers in several parts of the country would not be able to receive Channel 5."

He continued:

"It remains open to Channel 5 Broadcasting Limited to supplement coverage of their licence via cable and satellite and it is only by those means that all of Wales could receive Channel 5."

That is a serious statement, because it looks as if the vast majority of Welsh television viewers should choose either cable or satellite to get the new range of programmes and services.

Mr. Dafis: For a considerable period, large parts of Wales will be inaccessible to cable.

7.15 pm

Mr. Rowlands: That is true, so satellite will be the solution. Viewers will have to decide whether to spend money on a satellite or on set-top boxes and the rest of it. That could have a profound effect on the broadcasters, who are expected to deliver digital terrestrial services throughout Wales. There will be increasing arguments as to whether we should try to deliver them by satellite or by digital terrestrial. The Minister has admitted, with regard to Channel 5, that viewers will have to turn to satellite. There will be a lot of ambivalence and ambiguity about the way in which terrestrial services are provided in Wales.

Even bigger questions will be raised. For example, if people become totally dependent on satellite, what will happen when security issues arise? I do not want to forecast a war, but during such a crisis, the quality of the terrestrial services is not usually affected. However, viewers who receive their television services by satellite will face serious issues in relation to national security and defence in times of crisis.

I do not want to end my speech on that gloomy and doomsday note. I plead with the Minister to carry out the review. Every conceivable pressure should be put on multiplex operators to go out and deliver—no matter how difficult and expensive it might be—the digital terrestrial services to Wales, which the rest of the United Kingdom will have in the not too distant future. If that does not happen, people's sense of being deprived of television—which has always been under the surface in many of our broadcasting debates in Wales—will grow with intensity.

Mr. Dafis: I congratulate the Labour party Front Bench and the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on tabling the amendments. I am not normally in a congratulatory mood in relation to the Labour party in Wales these days, but the amendments are important. As the hon. Member for Merthyr Tydfil and Rhymney has said, the designation of half a multiplex to S4C has been welcomed as a major achievement. It will provide an important resource for broadcasting in Wales, and it will benefit not only the viewers of S4C but the whole broadcasting scene in Wales.

As we have delved into this situation, we have begun to understand the concerns in relation to the extent of coverage of Wales by digital terrestrial. We are back to what Geraint Talfan Davies identified as one of the big issues in Welsh broadcasting: transmitters. The hon. Gentleman has referred to the ITC document of 22 May which refers to potential multiplex providers. It has been suggested to me that the document is too optimistic. There are also questions about the level of competence of the document.

The document includes maps that show the extent of the coverage for the first three multiplexes—A, B and C—and, as one looks at them, one sees progressively less coverage of Wales. The third is pretty disastrous so far as the coverage of Wales is concerned. A broad band of territory—it extends from north-west Wales, including most of Anglesey, through the centre of the country, to the south-east—will not get digital, unless something is done about the transmission system. That includes Cardiff—it looks as though it will not be able to access digital through the multiplex—and much of Glamorgan.

I discussed the technical reasons for that in Committee. It seems that the existing transmitters—and the boosters to which the hon. Member for Merthyr Tydfil and Rhymney referred—do not have the capacity for digital. Their capacity is taken up entirely by the existing analogue service. That has major implications for the viability of S4C and Channel 5 in Wales and their ability to develop.

If multiplex C—and therefore S4C—is available in the south-east only if people tune into the Mendip transmitter, that will have tremendous implications for the audiences of HTV and BBC Wales. The hon. Member for Merthyr Tydfil and Rhymney has mentioned that issue. That matter must be addressed and I ask the Minister to announce tonight what solution the Government will offer. Has he considered the matter that I raised in Committee about using microwave technology? It seems to offer a solution—it would take time and it would involve co-operation between various agencies, but it is an important area.

I referred previously to the DTI working groups that are currently studying the new high frequencies on the 40 gigahertz microwave band. That involves using transmitters that are located every five miles—the same kind that are used for cellular phones. A complete network of such transmitters would facilitate the eventual removal of the 50 huge main transmitters throughout the United Kingdom. Those transmitters are an eyesore and they emit a great deal of electromagnetic energy.

Another advantage of microwave technology is that the adjacent band—43 gigahertz—has been provisionally set aside for wireless interactive services, the Internet, multimedia and so on. If the Department of National Heritage cannot think of a better way of providing

coverage in Wales—if it can, we should hear about it tonight; it is important that we are confident that the Government know what they are doing in that regard—it should pursue energetically the microwave technology option. It could facilitate that through co-operation with the DTI and with the Welsh and Scottish Offices.

I turn to another matter of concern involving the transmission of analogue services and its funding implications. I have already discussed that issue with the Minister, but I shall go over that ground again briefly. When S4C was made responsible for paying for transmission under the Broadcasting Act 1990, a miscalculation occurred—that has been clearly established—and, as a result, there was underfunding in relation to transmission costs. That was compensated for by an error in the drafting of the 1990 legislation that provided funding for S4C from 1 January. That funding more than compensated for the loss arising from the miscalculation that I have mentioned.

This legislation will affect the 1 January funding, which will no longer apply. I understand that it cannot apply and I do not seek to change that decision. However, I am seeking a commitment from the Government that the proper level of funding—no more than that—for the transmission of analogue will be restored. It is not a matter of greed or of making unreasonable demands; it is simply a matter of normalising the funding on the basis of what was agreed in 1990.

The Minister has sent me a letter about the matter—I am grateful to him for allowing me to quote from it. His response is important and quite promising. He says:

"it is open to S4C—at any time—to make a case to the Secretary of State for support with their analogue transmission costs".

That is fine—I accept the Minister's assurance and I am satisfied with it. However, he goes on to refer to S4C's opportunities for meeting the cost of the digital service. He says:

"While we will study carefully any case S4C make to the Secretary of State for further financial assistance for transmission costs, it is only fair that I reiterate my view that the digital capacity and commercial freedoms offered by the Bill will enable the Welsh Fourth Channel Authority to raise significant sums for the benefit of their public service remit".

That is okay, but I emphasise that those sums should be viewed as a means of enabling S4C to meet the additional demands of digitalisation. That is what they are for. I am concerned about the costs of analogue and of analogue transmission. It is clear that that will remain the primary means of providing S4C in Wales for many years. I ask the Minister to elucidate the next sentence of his letter. He says:

"we envisage that the provisions which enable the Secretary of State to increase S4C's funding to assist transmission costs would only be used if the Welsh Fourth Channel Authority had made its case to the Department's satisfaction that it had exhausted all other sources of revenue for meeting these costs".

The Minister seems to be saying that, if the Welsh channel could show that it had exhausted all other means, it could look for a positive response from the DNH in relation to extra funding.

The Government have made it clear in debate both in the other place and in Committee that, by changing the basis of S4C funding to the retail prices index, they intend to provide stability of funding—they do not intend to cause any reduction. "Stability" implies a process whereby S4C could go to the DNH on the basis of a clear understanding of its financial position and prospects in the confident expectation that its requests would meet with a positive response. That is what "stability" implies to me.

If the Minister does not mean that and if S4C would fail to receive funding in those circumstances, it is important to understand that S4C would face a significant funding cut. That is the reality and we might as well face it—S4C would have a reduced capacity to meet its programming obligations under the analogue system. In order to facilitate planning and stable provision, I seek confirmation from the Minister that, if and when that situation arises, S4C will receive a positive response.

Mr. Sproat: The amendments would introduce special arrangements for Wales in the review of prospects for analogue switch-off, but that is unnecessary. The review that we propose—as set out clearly in clause 29—encompasses the whole of the United Kingdom. The key factor in determining a timetable for analogue switch-off will be the availability, in digital form, of the public service channel to all viewers, wherever they may live. The availability of the services to people in Wales will be as important as their availability elsewhere in the United Kingdom. There is no need to make extra, special provisions for any part of the United Kingdom because the whole of the United Kingdom will be considered in the review. That is the short and straightforward answer, but I understand why the hon. Members for Merthyr Tydfil and Rhymney (Mr. Rowlands) and for Ceredigion and Pembroke, North (Mr. Dafis), who educated me in Committee on certain aspects of the Bill, have—quite properly—used the debate to raise one or two wider questions.

On the question of coverage, ITC frequency planning is not yet complete. The ITC will ask the applicants to operate channel 35 to make clear their plans for the time when more relay will be available.

7.30 pm

Mr. Rowlands: I am worried because the ITC is making such a minimum initial demand. Why does not it make a much greater demand and let the operators prove that they cannot reach that demand? The ITC will do the reverse and tell operators the minimum they have to do, but ask them to let it know if they can do more. That is the wrong way round.

Mr. Sproat: The ITC does not agree with the hon. Gentleman, but he is at liberty to suggest that it is not asking enough. I shall draw his comments to its attention, but it has considered the point and believes that its way will be best.

Mr. Dafis: The problem is that if the ITC asked for the use of all the main transmitters and all the relays, it would have difficulty in providing transmission because there is not enough space or frequencies on those transmitters and boosters to provide digital alongside analogue. As soon as analogue is switched off everything will be fine, but some people will not have a digital set and they will not receive any television broadcasts. That is an important gap.

Mr. Sproat: Analogue will not be switched off until an equivalent bulk of the population is capable of receiving digital. I enunciated that principle many times in Committee and it will be the basis for any switch-off.

[Mr. Sproat]

The hon. Member for Merthyr Tydfil and Rhymney asked about channel 35 and its effect on Channel 5. Of course, I am aware that the ITC has proposed that channel 35 should be available to Channel 5. We are considering that point urgently with colleagues at the Department of Trade and Industry and my hon. Friend the Minister for Science and Technology is in his place and will have heard the hon. Gentleman's comments. My hon. Friend the Member for North Thanet (Mr. Gale) said in Committee that he was in favour of channel 35 being used to spread Channel 5 to a much wider area in the south of England and almost every part of the United Kingdom has an interest in the issue, not just Wales. I can assure hon. Members that the issue of the use of channel 35 is one that both Departments are considering closely. We are aware of the attractions of usage by Channel 5 and the other uses to which channel 35 could be put.

The hon. Member for Ceredigion and Pembroke, North mentioned microwave bands and he properly raised that important subject in Committee. We take the subject seriously and the key determinant of analogue switch-off is the availability of the public service channels to all who wish to view them. The means by which they are received is secondary to that. If cable, satellite or other forms of transmission, such as microwave delivery, are practical, I hope that the broadcasters will explore them.

The hon. Member for Ceredigion and Pembroke, North asked what assurance I could give about assistance for future S4C transmission costs. He will know that clause 75 will roll over into the Bill the provision in the Broadcasting Act 1990 that allows my right hon. Friend the Secretary of State to provide additional funding over and above the statutory formula funding if she is satisfied that that is necessary with regard to the costs of transmission. Indeed, it will extend the 1990 Act provision by specifying that the additional funding can cover the cost of digital as well as analogue transmission. Clearly, the exercise of any such provision will require detailed discussion with S4C about costs and alternative sources of funding, as the hon. Gentleman mentioned when he quoted from my letter. I cannot give him many guarantees about funding, if any. If S4C believes that there is a case to be made, it should make that case, with the help of the hon. Gentleman and other hon. Members, to my Department.

I hope that, given those assurances, the amendment will be withdrawn.

Mr. Rowlands: I hope that the worst of our worries and our gloomiest predictions will not come true. If they do, we will be back not only with a new Bill, but with new arguments and new frustrations. In the light of need to proceed with the Bill, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 64, in page 27, line 19, after 'Digital' insert 'the qualifying teletext service'.—*[Mr. Sproat.]*

Clause 35

INTERPRETATION OF PART I

Amendments made: No. 193, in page 29 line 39, at end insert—

' "ancillary service" has the meaning given by section 22(2);'.

No. 17, in page 29, leave out lines 40 and 41 and insert—

' "a Channel 3 licence" has the same meaning as in Part I of the 1990 Act and "a Channel 3 service" means a regional or national Channel 3 service (within the meaning of that Part);'.

No. 65, in page 30, line 9, at end insert—

'"public teletext provider" has the meaning given by section 2(4B);'.

No. 66, in page 30, line 10, at end insert—

'"qualifying teletext service" means the public teletext service provided by the public teletext provider for broadcasting in digital form as a qualifying service;'.

No. 194, in page 30, line 14, at end insert—

' "technical service" has the meaning given by section 22(3).'.—*[Mr. Sproat.]*

Clause 36

RADIO MULTIPLEX SERVICES

Amendments made: No. 195, in page 30, line 45, after 'sound' insert

'(together with any ancillary services, as defined by section 59(2))'.

No. 196, in page 31, line 1, after 'include' insert—

'(a)''.

No. 197, in page 31, line 2, at end insert

'or

(b) a service where the sounds are to be received through the use of coded reference to pre-defined phonetic elements of sounds.'.

No. 198, in page 31, line 2, at end insert—

'(5A) The Secretary of State may, if having regard to developments in broadcasting technology he considers it appropriate to do so, by order amend the definition of "digital sound programme service" in subsection (5).

(5B) No order under subsection (5A) shall be made unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.'

No. 199, in page 31, line 4, leave out 'by satellite' and insert—

'(a) by satellite, or

(b) in the provision of a local delivery service (as defined by section 72(1) of the 1990 Act)'.—*[Mr. Sproat.]*

Clause 37

MEANING OF "INDEPENDENT NATIONAL BROADCASTER" AND "SIMULCAST RADIO SERVICE"

Amendment made: No. 200, in page 31, line 29, at end insert—

'(4A) Before making an order under subsection (4) the Secretary of State shall consult such persons appearing to him to represent listeners as he thinks fit.'—*[Mr. Sproat.]*

Clause 41

ASSIGNMENT OF FREQUENCIES BY SECRETARY OF STATE

Amendment made: No. 201, in page 36, line 2, at end insert—

'(4A) References in subsection (4) to digital sound programme services of a particular character include references to digital sound programme services catering for the tastes and interests of persons living within a specified area or locality.'—*[Mr. Sproat.]*

Clause 44

RESERVATION OF CAPACITY FOR INDEPENDENT NATIONAL BROADCASTERS

Amendments made: No. 202, in page 39, line 9, leave out from 'which' to end of line 12 and insert

'the Authority consider appropriate in all the circumstances for the broadcasting of that service'.

No. 18, in page 39, line 13, leave out 'this section' and insert 'subsection (1)'.—*[Mr. Sproat.]*

Clause 45

DUTY OF AUTHORITY TO RESERVE DIGITAL CAPACITY FOR CERTAIN PURPOSES OF BBC

Amendment made: No. 203, in page 40, leave out lines 1 to 4 and insert—

'(2) The circumstances to which the Authority may have regard in performing their duty under subsection (1) include the likely demand for digital capacity by persons providing or proposing to provide local digital sound programme services.'—*[Mr. Sproat.]*

Clause 49

FAILURE TO BEGIN PROVIDING LICENSED SERVICE AND FINANCIAL PENALTIES ON REVOCATION OF LICENCE

Amendments made: No. 204, in page 44, line 2, at end insert

'a specified financial penalty not exceeding'.

No. 205, in page 44, line 3, leave out

'a financial penalty of'.

No. 206, in page 44, line 5, leave out 'a financial penalty of'.—*[Mr. Sproat.]*

Clause 50

CONDITIONS ATTACHED TO NATIONAL OR LOCAL RADIO MULTIPLEX LICENCE

Amendments made: No. 207, in page 44, line 28, after 'timetable' insert 'and other proposals'.

No. 208, in page 45, line 18, leave out 'or simulcast radio services' and insert

', simulcast radio services, programme-related services or relevant technical services.

(1A) In paragraph (1)(h)—

(a) "programme-related service" means any digital additional service consisting in the provision of services (apart from advertising) which—

(i) are ancillary to the programmes included in one or more digital sound programme services, simulcast radio services or local or national services (within the meaning of Part I of the 1990 Act) and are directly related to the contents of those programmes, or

(ii) relate to the promotion or listing of such programmes, and

(b) "relevant technical service" means any technical service which relates to one or more digital sound programme services.'—*[Mr. Sproat.]*

Clause 59

DIGITAL ADDITIONAL SERVICES

Amendments made: No. 209, in page 56, leave out line 21 and insert—

', an ancillary service or a technical service'.

No. 210, in page 56, leave out lines 22 to 28 and insert—

'(2) In this Part "ancillary service" means any service which is provided by the holder of a digital sound programme licence or by an independent national broadcaster and consists in the provision of any service (other than advertising) which—

(a) is ancillary to programmes included in a digital sound programme service or simulcast radio service provided by him and is directly related to their contents, or

(b) relates to the promotion or listing of such programmes.'

No. 211, in page 56, line 28, at end insert—

'(3) In this Part "technical service" means a service which—

(a) is provided for technical purposes connected with the encryption or decryption of one or more digital sound programme services or digital additional services, and

(b) is of a description specified in an order made by the Secretary of State.

(4) An order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'—*[Mr. Sproat.]*

Clause 65

POWER TO VARY AMOUNT OF FINANCIAL PENALTIES

Amendment made: No. 19, in page 60, line 17, at end insert 'and (4)'.—*[Mr. Sproat.]*

Clause 68

INTERPRETATION OF PART II

Amendments made: No. 212, in page 61, line 22, at end insert—

' "ancillary service" has the meaning given by section 59(2)'.

No. 213, in page 61, line 46, at end insert—

' "technical service" has the meaning given by section 59(3).'.—*[Mr. Sproat.]*

Schedule 2

AMENDMENTS OF BROADCASTING ACT 1990 RELATING TO RESTRICTIONS ON HOLDING OF LICENCES

Amendment proposed: No. 232, in page 113, line 28, at end insert—

'(ee) in the definition of "participant", after "means" there is inserted "(subject to sub-paragraph (5A))".'.—*[Mr. Maclennan.]*

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following amendments: No. 230, in page 114, line 1, leave out 'secure' and insert 'achieve the result'.

No. 231, in page 114, leave out lines 3 to 8 and insert—

'(c) he is a party to an arrangement (including any undertaking, expectation or understanding), whether or not legally binding, whereby parties to the arrangement, whether or not including himself, who hold or are beneficially entitled to 50 per cent. or more of the equity share capital of the body in aggregate or 50 per cent. or more of the voting power in it in aggregate make provision as to the manner or circumstances in which any voting power in the body possessed by any of them is to be exercised or not exercised either generally or in relation to any specified matters.'.

No. 233, in page 114, line 19, at end insert—

'(5A) After sub–paragraph (5) there is inserted

"(5A) For the purposes of this Schedule a person shall not be regarded as a participant in relation to a body corporate by reason only that his interest in shares in that body is—

(a) that of a bare trustee;

(b) that of a simple trustee (where such shares are held on trust according to the law of Scotland); or

(c) an exempt custodian interest within the meaning of section 209(4) of the Companies Act 1985." '.

Mr. Sproat: Given the marvellous brevity of the hon. Member for Caithness and Sutherland (Mr. Maclennan), I shall begin with some good news for the Opposition, which is good news for us on the Bill. Our legal advisers are of the opinion that there is little to choose between the current formulation, using the word "secure", and one that uses the words able to "achieve", as proposed by amendment No. 230. In legal and policy terms they produce the same result. In the light of the legal opinion that we have received, and given the continuing concern expressed by the regulators, the Government will not oppose amendment No. 230.

Amendment No. 231 would bolster the provisions inserted in the Bill in Committee that deal with "joint control" and "deadlocking". As it stands, the Bill will, without doubt, catch cases where two companies each have a 50 per cent. stake in the deadlocked company. However, concern has been expressed about a case where, for example, company A and company B each hold a 49 per cent. interest, while 1 per cent. is held by another company that can be relied on to follow the wishes of company A and 1 per cent. by a company that can be relied on to follow the wishes of company B. Such a case could be caught by the substituted paragraph 1(3)(c) on page 114 of the Bill, as amended in Committee, if the 1 per cent. shareholders could each be regarded as nominees within the meaning of part I to schedule 2 to the 1990 Act. Such a situation could also be caught by paragraph 1(3)(b) if it was thought likely—in the sense of "reasonable expectation"—that A and B would be acting in accordance with each other's wishes. This is because if A and B were acting together, it would be reasonable to expect that they would be able to secure that the company's affairs would be conducted in accordance with their joint wishes. The 2 per cent. part shareholding would be completely irrelevant in company law terms unless allied with A or B.

As it stands, amendment No. 231 would treat each of the parties to the arrangement as controlling the company. That could produce some unwelcome, and possibly even absurd, results. It would clearly be wrong to catch the many legitimate and commonplace arrangements that may be entered into among shareholders in private or family companies to secure their position within the company. For example, if a 5 per cent. shareholder had entered into an agreement with other shareholders speaking for 51 per cent. of the voting power purely to safeguard his representation on the board of directors—which would be "any specified matter" within the meaning of the ITC's amendment—it would be contrary to principle and common sense to treat him as controlling the company. For those reasons, the Government will not accept amendment No. 231.

Amendments Nos. 232 and 233 would prevent those who simply hold shares on behalf of others from being caught by the ownership provisions in schedule 2. They would ensure that such shareholders are not caught by the definition of the participant that now appears in the Bill. However, in so far as that is the intention of amendment Nos. 232 and 233, I understand that they are technically defective. They carve out an exemption for the purpose of limiting stakes in licences, but they do not do so in other respects. If the amendments were passed, such nominee or custodian trustees could still be deemed to control licences for other purposes and to be connected persons or "associates" of licence holders. In lay terms, they would be excluded from some of the ownership restrictions, but would still be included in others. To accept the amendments as they are could be to subvert, albeit unintentionally, the scheme of schedule 2. For that reason, and as I have agreed to amendment No. 230, I hope that the hon. Gentleman will withdraw his other amendment.

Mr. Maclennan: I am grateful to the Minister for explaining in some detail, as I think is appropriate, the Government's reasons for not wishing to accede entirely to the views of the ITC on the matter. I have no doubt that his legal advice will be studied with great care. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 230, in page 114, line 1, leave out 'secure' and insert 'achieve the result'.—*[Mr. Sproat.]*

Mr. Sproat: I beg to move amendment No. 22, in page 114, line 30, at end insert—

'(8) Any reference in this Schedule to a person who is over a particular age is a reference to a person who has attained that age.'.

The amendment puts beyond any doubt the fact that any reference in schedule 2 to a person who is over a particular age means that a person has attained that age. If that formulation still mystifies hon. Members, perhaps they will give me another 10 seconds to say that the intention of that form of words is to remove an ambiguity in the current wording of paragraph 9 of part III to schedule 2, dealing with the calculation of radio points for the purposes of the 15 per cent. limit applying to the ownership of radio licences. The current wording could be interpreted as relating to persons who are not yet 16 years old, rather than to those who have reached their 15th birthday.

Amendment agreed to.

Mr. Sproat: I beg to move amendment No. 8, in page 116, line 13, leave out from "Act)" to end of line 15 and insert—

'(i) a licence to provide digital programme services, or

(j) a licence to provide national or local digital sound programme services.'

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 9 and 7.

Mr. Sproat: Amendment No. 8 honours the commitment given to my hon. Friend the Member for Hexham (Mr. Atkinson) in Committee to disapply the nationality restrictions in part II of schedule 2 to the 1990 Act in respect of the ownership of digital programme service licences.

Amendment agreed to.

Mr. Sproat: I beg to move amendment No. 92, in page 116, line 24, after 'BBC company' insert

', a Channel 4 company'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 93 to 101.

Mr. Sproat: The amendments fulfil our commitment to allow Channel 4 to create or participate in companies involved in broadcasting activities. This will allow Channel 4, like S4C and the BBC, to take full advantage of the opportunities of digital broadcasting.

We are allowing Channel 4 to establish or participate in companies anywhere in the world, provided that they are involved in activities that would be licensable by the ITC or the Radio Authority if they were taking place in the United Kingdom. We are also allowing it to be involved in holding companies. These extra powers have been added to those already granted to S4C.

Amendment No. 94 makes it clear that Channel 4 is able to broadcast its digital simulcast service throughout the United Kingdom, including Wales. On analogue, the Welsh fourth channel is, of course, the responsibility of S4C.

Amendment agreed to.

Amendment made: No. 9, in page 116, line 29, at end insert—

'( ) A BBC company is also a disqualified person in relation to any licence granted by the Authority to provide a national, local or restricted service within the meaning of Part III of this Act.'—*[Mr. Sproat.]*

Mr. Sproat: I beg to move amendment No. 23, in page 116, line 41, leave out 'paragraphs 9 and 17' and insert 'paragraph 9'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 35, 38, 41 and 42.

Mr. Sproat: The amendments arise as a result of the new regime for limiting participation, short of control, in broadcasting licences. As a result of these changes, paragraphs 16 to 21 of part III to schedule 2 are largely redundant, and are therefore deleted by amendment No. 42.

The holder of a licence to provide a national channel 3 or Channel 5 service is currently limited to a maximum interest of 20 per cent. in a national radio service and vice versa. The holder of a licence to provide local digital sound programme services or a local radio service is currently limited to a maximum interest of 20 per cent. in a regional channel 3 licence holder where each of the services covers an area that is to a significant extent the same, and vice versa.

Amendment No. 35 replaces these restrictions with restrictions on common control, but does not impose restrictions on the extent of participation below the level of control. It therefore harmonises these restrictions with the restrictions on participation that were agreed in Committee.

Amendments Nos. 23, 38 and 41 make consequential adjustments to part III of schedule 2.

Amendment agreed to.

7.45 pm

Mr. Sproat: I beg to move amendment No. 24, in page 116, line 42, leave out 'sixteen' and insert 'seventeen'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 25, 26, 36, 37 and 158.

Mr. Sproat: Amendments Nos. 24, 25 and 26 enable the Secretary of State, by order, to include the new category of restricted service television licences within the categories of licence that are subject to the 15 per cent. total television audience share limit.

Amendments Nos. 36 and 37 allow the Secretary of State to limit, by order, the number of such licences that may be held by any one person.

Amendment No. 158 allows the Secretary of State to make an order imposing restrictions on cross-ownership of restricted service television licences and newspaper companies, and to apply the public interest test to them, should this prove appropriate in the future.

Amendment agreed to.

Amendment made: No. 25, in page 116, line 45, at end insert—

'(aa) restricted services (within the meaning of Part I of this Act);'.—*[Mr. Sproat.]*

Amendment proposed: No. 220, in page 117, line 24, leave out from beginning to end of line 26, and insert

'No person shall at any one time—'.—*[Mr. Austin Mitchell.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 237, in page 117, line 25, leave out '15' and insert '10'.

No. 234, in page 117, line 26, after 'not', insert 'subject to sub–paragraph (3B)'.

No. 131, in page 117, leave out lines 44 to 49.

No. 249, in page 117, line 46, leave out '15' and insert '10'.

No. 221, in page 117, leave out from beginning of line 50 to end of line 14 on page 118.

No. 235, in page 117, line 50, after '(1)', insert 'and subject to sub–paragraph (3A)'.

No. 132, in page 118, leave out lines 1 to 4.

No. 133, in page 118, line 7, leave out '1(2)(b)' and insert '1(2)(a), (b)'.

No. 134, in page 118, line 9, leave out

'more than a 20 per cent.'

and insert 'a qualifying'.

No. 135, in page 118, leave out lines 11 and 12.

No. 236, in page 118, at end insert—

'(3A) For the purposes of calculating a person's audience time in respect of any period in accordance with sub–paragraph (3):

(a) there shall be included the audience time attributable in respect of that period to each service referred to in that sub–paragraph in respect of which, on the date upon which the calculation of his audience time for the purposes of sub–paragraph (1) is made, he holds the licence, is a participant in the body corporate which holds the licence, or which he provides (as the case may be), irrespective of whether he held the licence, or was a participant in the body corporate which holds the licence or provided the service at any time during the period; and

(b) there shall (for the avoidance of doubt) be excluded the audience time attributable in respect of that period to each service referred to in sub–paragraph (3) in respect of which, prior to the date upon which the calculation of his audience time for the purposes of sub–paragraph (1) is made, he has ceased to hold the licence, or to be a participant in the holder of the licence, or to provide the service (as the case may be).

(3B) Sub–paragraph (1) shall not prevent a person from continuing to hold any licence, or to be a participant in a body corporate which holds any licence, or from continuing to provide any service (as the case may be) if and to the extent that arrangements made by him after the end of period in respect of which his audience time exceeds 15 per cent of total audience time would cause his audience time calculated so as to take into account the effect of those arrangements, not to exceed 15 per cent of total audience time.'.

No. 222, in page 118, leave out from beginning of line 23 to end of line 13 on page 119.

No. 136, in page 118, line 27, at end insert—

'(6) In this paragraph "qualifying interest" means an interest of more than 20 per cent.

(7) The Secretary of State may by order amend sub–paragraph (6)—

(a) by substituting a different percentage for any percentage for the time being specified there, and

(b) so as to specify different percentages in relation to licences to provide different services.'.

Government amendment No. 27.

No. 223, in page 119, line 13, at end insert—

'3A. Provided that any proposal by a person who holds a licence to provide a service falling within any category specified in paragraph 1(2)(a), (b), (c), (d) or (g) to acquire a further licence to provide one of the services so specified shall not take effect unless the Commission have examined the proposal and satisfied themselves that its terms are conducive to the public interest.'.

Mr. Robert G. Hughes (Harrow, West): I have been asked to table amendments Nos. 132 to 135 by Carlton Television. They are technical amendments that change the so-called audience attribution system introduced in Committee by the Government.

The purpose of the Government's system is to take some account of holdings in television stations that are significant but fall short of overall control. If a company holds more than 20 per cent. of a television station but not enough to have control, it has to add one half of that station's audience share to its overall total. The amendments' purpose is to ensure that all such minority stakes in television stations are treated the same.

Under the Bill as drafted, stakes over 20 per cent. in television stations trigger the audience attribution system, except in the case of channel 3, where the trigger is set at 15 per cent. I do not see a case for treating channel 3 stakes differently. It could lead to some serious anomalies.

If, for example, the consortium running Channel 5 is made up of five companies holding 20 per cent. each, none of them would incur any extra audience share. Yet a 20 per cent. holding in a channel 3 licence, such as the one Carlton, Scottish and Granada hold in GMTV, would incur extra percentage points.

The amendments make the system a little more balanced and give the Secretary of State the power to alter the trigger threshold should the need arise in future.

Mr. Sproat: Amendments Nos. 220 to 223 and 249 seek to remove the scheme whereby holdings in television are regulated against a 15 per cent. audience share limit. We chose audience share as a way of regulating television ownership because it relates directly to plurality. Limits based on the number of licences are no longer appropriate because licences are not a balanced unit of measure and do not reflect the ability of a media owner to influence opinion.

Amendment No. 237 is an alternative that would reduce the general limit on the holding of television licences from 15 per cent. of the total television audience to 10 per cent. But a 10 per cent. threshold would discourage companies from moving into digital broadcasting, particularly some of the larger players that would be well placed to make such investments. We therefore oppose those amendments.

Government amendment No. 27 introduces an order-making power, subject to the affirmative resolution procedure, whereby sub-paragraphs (1), (3) and (6) of paragraph 2 of part III of schedule 2 can be amended to reflect any significant change in audience measurement practices of the television industry.

We have reflected further on the calculation of audience share and we are prepared to accept amendments Nos. 234, 235 and 236, and I hope that Opposition Front Benchers will enjoy my saying that. I am grateful to my hon. Friend the Member for Harrow, West (Mr. Hughes) for his cogent explanation.

Mr. Maclennan: I rise briefly to thank the Minister for accepting amendments Nos. 234, 235 and 236: no doubt that will give satisfaction to the ITC, which submitted the amendments.

Mr. Austin Mitchell: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 234, in page 117, line 26, after 'not', insert 'subject to sub–paragraph (3B)'.—*[Dr. Moonie.]*

Amendment made: No. 131, in page 117, leave out lines 44 to 49.—*[Mr. Robert G. Hughes.]*

Amendment made: No. 235, in page 117, line 50, after '(1)', insert 'and subject to sub–paragraph (3A)'.—*[Mr. Maclennan.]*

Amendments made: No. 132, in page 118, leave out lines 1 to 4.

No. 133, in page 118, line 7, leave out '1(2)(b)' and insert '1(2)(a), (b)'.

No. 134, in page 118, line 9, leave out 'more than a 20 per cent.' and insert 'a qualifying'.

No. 135, in page 118, leave out lines 11 and 12.—*[Mr. Robert G. Hughes.]*

Amendment made: No. 236, in page 118, at end insert—

'(3A) For the purposes of calculating a person's audience time in respect of any period in accordance with sub–paragraph (3):

(a) there shall be included the audience time attributable in respect of that period to each service referred to in that sub–paragraph in respect of which, on the date upon which the calculation of his audience time for the purposes of sub–paragraph (1) is made, he holds the licence, is a participant in the body corporate which holds the licence, or which he provides (as the case may be), irrespective of whether he held the licence, or was a participant in the body corporate which holds the licence or provided the service at any time during the period; and

(b) there shall (for the avoidance of doubt) be excluded the audience time attributable in respect of that period to each service referred to in sub–paragraph (3) in respect of which, prior to the date upon which the calculation of his audience time for the purposes of sub–paragraph (1) is made, he has ceased to hold the licence, or to be a participant in the holder of the licence, or to provide the service (as the case may be).

(3B) Sub–paragraph (1) shall not prevent a person from continuing to hold any licence, or to be a participant in a body corporate which holds any licence, or from continuing to provide any service (as the case may be) if and to the extent that arrangements made by him after the end of period in respect of which his audience time exceeds 15 per cent of total audience time would cause his audience time calculated so as to take into account the effect of those arrangements, not to exceed 15 per cent of total audience time.'.—*[Dr. Moonie.]*

Amendment made: No. 26, in page 118, line 27, at end insert—

'( ) The Secretary of State may by order amend sub–paragraphs (1)(a), (3)(a) and (c) by adding a reference to relevant services falling within the category specified in paragraph 1(2)(aa).'—*[Mr. Sproat.]*

Amendment made: No. 136, in page 118, line 27, at end insert—

'(6) In this paragraph "qualifying interest" means an interest of more than 20 per cent.

(7) The Secretary of State may by order amend sub–paragraph (6)—

(a) by substituting a different percentage for any percentage for the time being specified there, and

(b) so as to specify different percentages in relation to licences to provide different services.'.—*[Mr. Robert G. Hughes.]*

Amendment made: No. 27, in page 119, line 13, at end insert—

'(7) If it appears to the Secretary of State that there has been a significant change in the audience measurement practices prevailing in the television industry, the Secretary of State may, after consulting the Commission, make such amendments of sub–paragraphs (1), (3) and (6) as he considers appropriate for the purpose of taking account of that change.'.—*[Mr. Knapman.]*

Mr. Sproat: I beg to move amendment No. 28, in page 119, line 41, leave out 'for any numerical limit' and insert 'or percentage for any numerical limit or percentage'.

Amendment No. 28 enables the Secretary of State to vary the percentage interest short of control that a person may have in licences to provide television multiplex services.

Amendment agreed to.

Mr. Sproat: I beg to move amendment No. 29, in page 120, line 24, leave out from first 'services' to second 'services' and insert

'by means of two or more television multiplex services if the number of points attributable to those digital programme'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 30, 31, 147 and 32.

Mr. Sproat: In the start-up phase of digital terrestrial television, a broadcaster may wish to provide several services on one multiplex. We do not want to prevent that, but the ownership points system would have done so. The amendment would allow the points system to operate only where a broadcaster is providing services on more than one multiplex. Amendment No. 29 gives digital terrestrial television a better chance of a successful launch and ensures that we can safeguard plurality of voice in its initial stages, before the overall 15 per cent. audience limit can bite.

Amendment No. 32 allows the Secretary of State to vary elements in the digital points system set out in paragraph 7 of schedule 2.

We do not yet know precisely how digital television will develop. Therefore, the ownership regime must be able to cope with unforeseen developments.

The radio points system, which is set out in paragraphs 8 to 10 of schedule 2, already provides for the variation of elements within that system. Amendment No. 32 extends a similar flexibility to the digital points system.

Amendment No. 147 is a minor technical amendment that clarifies the drafting of paragraph 7(8).

Amendment agreed to.

Amendments made: No. 30, in page 120, line 32, leave out 'broadcast' and insert 'provided'.

No. 31, in page 120, line 33, leave out 'broadcast' and insert 'provided'.

No. 147, in page 121, line 26, leave out from 'licence' to 'to' in line 29 and insert

'but who does not control that body, shall be taken'.

No. 32, in page 121, leave out lines 30 to 32 and insert—

'(9) The Secretary of State may by order amend this paragraph—

(a) by altering the number of points for the time being attributable to digital programme services falling within sub–paragraph (2), (3) or (4),

(b) by substituting a different number of hours for the number for the time being specified in sub–paragraph (3), (4) or (5),

(c) by substituting different numbers for any numbers for the time being specified in sub–paragraph (7), and

[Mr. Sproat]

(d) by substituting a different percentage for the percentage for the time being specified in sub-paragraph (8).'—*[Mr. Knapman.]*

Mr. Sproat: I beg to move amendment No. 148, in page 121, line 43, at end insert 'or have been awarded'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 149.

Mr. Sproat: Amendments Nos. 148 and 149 make it clear that, for the purposes of the 15 per cent. total radio ownership points limit, points will be allocated to the company concerned when a licence is awarded. In other words, the Radio Authority will not wait until the company is broadcasting.

Amendment agreed to.

Amendments made: No. 149, in page 121, line 51, after 'force' insert 'or have been awarded'.

No. 150, in page 124, line 45, at end insert—

'(5A) This paragraph has effect subject to paragraph 12A.'

No. 151, in page 125, line 3, at end insert—

'Power by order to impose different restrictions in place of paragraph 12

12A. The Secretary of State may by order provide that, where a digital sound programme service is provided in any area, the holding by any one person of two or more licences to provide in that area local radio services which for the purposes of paragraph 12 share a potential audience with each other or with each of the others shall, instead of being subject to the restrictions specified in paragraph 12, be subject to other restrictions specified in the order.'.—*[Mr. Knapman.]*

Mr. Sproat: I beg to move amendment No. 33, in page 125, line 7, leave out 'such' and insert 'non-simulcast'.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 34.

Mr. Sproat: The amendments take account of the fact that local radio broadcasters are likely to want to simulcast their existing AM or FM services on local radio multiplexes and may also wish, and will be well placed to do so, to provide new services. Therefore, we have changed the restrictions on the provision of services on local radio multiplexes so that a broadcaster can provide any number of simulcast channels and one non-simulcast service on a local multiplex. It does not guarantee local broadcasters capacity on the local multiplex, but it recognises their distinctive position and the fact that digital local multiplexes are likely to cover wider areas than analogue licences.

Amendment agreed to.

Amendments made: No. 34, in page 125 leave out lines 8 to 28 and insert—

'(2) Where—

(a) the coverage area of the local radio multiplex service is to a significant extent the same as that of another local radio multiplex service, and

(b) the person concerned is not providing any non-simulcast service by means of that other local radio multiplex service,

sub-paragraph (1) shall have effect as if the reference to one non-simulcast service were a reference to two such services.

(3) In this paragraph "non-simulcast service" means any local digital sound programme service other than one which—

(a) is provided by a person who holds a licence to provide a local radio service, and

(b) corresponds to that local radio service.

(4) For the purposes of sub-paragraph (3)(b) a local digital sound programme service corresponds to a local radio service if, and only if, in every calendar month—

(a) at least 80 per cent. of so much of the local radio service as consists of programmes, consists of programmes which are also included in the local digital sound programme service in that month, and

(b) at least 50 per cent. of so much of the local radio service as consists of such programmes is broadcast at the same time on both services.

(5) The Secretary of State may by order—

(a) amend sub-paragraphs (1) and (2) by substituting a different numerical limit for any numerical limit for the time being specified there, and

(b) amend sub-paragraph (4)(a) or (b) by substituting a different percentage for any percentage for the time being specified there.

(6) In subsection (4) "programme" does not include an advertisement.'

No. 35, in page 125, line 28, at end insert—

'Further restrictions on holding of licences of different descriptions

13A.—(1) No one person may at any time hold—

(a) a licence to provide a national Channel 3 service or Channel 5, and

(b) a licence to provide a national radio service.

(2) No one person may at any time hold—

(a) a licence to provide a local radio service or local digital sound programme services, and

(b) a licence to provide a regional Channel 3 service whose coverage area is to a significant extent the same as that of the local radio service or of any local digital sound programme service provided by him.'

No. 36, in page 125, line 32, leave out '1(2)(b)' and insert '1(2)(aa), (b)'.

No. 37, in page 125, line 40, after '1(2)(a)' insert 'or (aa)'.

No. 38, in page 125, line 43, leave out '13' and insert '13A'.—*[Mr. Knapman.]*

Mr. Sproat: I beg to move amendment No. 39, in page 126, leave out lines 8 to 12.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 40.

Mr. Sproat: Amendments Nos. 39 and 40 are minor drafting amendments that are consequential on the removal of local radio services from the scope of the order-making power in paragraph 14(1) of schedule 2. As local radio is no longer subject to an order made under paragraph 14(1), paragraph 14(4) is redundant.

Amendment agreed to.

Amendments made: No. 40, in page 126, line 23, leave out 'sub-paragraphs (4) and (5)' and insert 'sub-paragraph (5)'.

No. 152, in page 126, line 37, at beginning insert 'Subject to sub–paragraph (1A)'.

No. 41, in page 126, line 38, leave out '13' and insert '13A'.

No. 153, in page 126, line 39, after 'paragraph' insert '12A or'.

No. 154, in page 126, line 42, at end insert—

'(1A) For the purposes of paragraph 12 and any order under paragraph 12A, a person shall not be treated as holding a licence to provide a local radio service merely because he is a director of a body corporate which holds the licence.'

No. 42, in page 126, line 46, leave out from beginning to end of line 19 on page 128.—*[Mr. Knapman.]*

Dr. John Cunningham (Copeland): I beg to move amendment No. 102, in page 129, leave out lines 32 to 37.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 260, in page 129, line 32, leave out from 'newspaper' to 'may' in line 34.

No. 261, in page 129, line 34, leave out '20' and insert '10'.

Government amendments Nos. 43 and 44.

No. 262, in page 129, line 37, at end insert—

'(d) a domestic or a non–domestic satellite service.'.

No. 162, in page 129, line 41, at end insert—

'(2A) If as a result of a takeover a person who owns or controls newspapers with a circulation market share above the percentage specified in paragraphs 4(1) and (2) becomes the holder of a licence to provide a Channel 3 service, the Independent Television Commission shall not for that reason alone revoke that licence unless a period of 12 months from the takeover has elapsed and the newspaper proprietor has failed to reduce the market share of those newspapers he controls to below the specified percentage.'.

No. 263, in page 130, line 7, at end insert—

'(6A) Any person who immediately prior to the date of coming into force of Schedule 2 to the Broadcasting Act 1996 was both the proprietor of a national newspaper and the holder of a licence to provide any of the services mentioned in sub–paragraphs 1(a) to (d) of paragraph 4 above shall, within three months of that date, take such steps as are necessary to comply with the provisions of that paragraph.'.

Government amendments Nos. 45 and 46.

Dr. Cunningham: Amendment No. 102 addresses one of the most controversial aspects of the legislation—the regulations on cross-media ownership. The amendment seeks to delete that part of the Bill which contains the limit on cross-media ownership by national newspapers.

At present, any newspaper group with more than 20 per cent. of the national market share is not allowed under the Bill to hold a licence to provide a regional national channel 3 service. In practice, that provision affects only two companies—Mirror Group Newspapers and News International.

In seeking to abolish the limit, Labour has been portrayed as advocating no controls on media ownership. That is certainly not the case. The Bill contains two other important provisions that we fully support: first, the rule whereby no single television supplier may accumulate more than 15 per cent. of the total television audience and, secondly, the important public interest tests that may be applied by the Independent Television Commission and which are contained in paragraphs 7 to 12 of schedule 2.

In advocating lifting one restriction on cross-media ownership, it is important to spell out why we believe that this is such an important issue. In Britain, we have a large number of newspaper groups which, whether we like them or not, have managed to flourish over a period of years. More recently, there has been major growth in the television market as well as concentration of ownership. The future of the media, which is important to us all, is likely to continue broadly in the same way. Some people believe that newspapers are in long-term decline and that the future lies much more in broadcasting and the development of multimedia companies.

I do not believe that we should commit ourselves to opposing the development of cross-media ownership or the growth and success of large companies. The idea of a Britain where large numbers of small companies make high-quality television programmes for the local area in which they broadcast while the Berlusconis and Bertelsmanns compete across Europe and the world is not a realistic proposition. One of the implications of the Bill as it stands is that Mirror Group Newspapers is denied ownership of a channel 3 licence, while the Berlusconi and Bertelsmann empires are not. Other European multi-media groups could purchase such licences, but Mirror Group Newspapers and News International could not.

The Government have got themselves into a terrible mess. There are seven major newspaper groups, five of which are to be allowed to enter the television market. Another, News Corp, is already a major player in television. BSkyB is currently about third in the viewing figures when the public service broadcasters are discounted, and all credit should be given to it for the initiative, investment and innovation that it has brought to television broadcasting in this country. It is obvious that satellite broadcasting will be increasingly important and influential as the technology develops.

8 pm

The practical implication of the proposals is that a single newspaper group—a successful British newspaper group that wants to expand into broadcasting—is being prevented from doing so. It is a coincidence that it happens to own a newspaper that supports the Labour party; the arguments would be the same regardless. We have been accused of being politically partial in this matter, but, if there is any real argument for political partiality, it is exactly the other way round: the Government's friends are being looked after in the legislation, and the single newspaper that supports Labour is being excluded.

The Government's explanation has been, first, that the 20 per cent. limit was arrived at intuitively: it seemed about right to everyone. Some would say that it is completely arbitrary, while others would argue that it is not arbitrary at all—that it was set deliberately to have the effect that I have described—but there is no rational argument for it. Some will argue that the 15 per cent. rule in television is equally arbitrary, but I do not agree with that. At present, apart from the public service broadcasters—the BBC, Channel 4 and S4C—no broadcaster has more than 6 per cent. of the market. The

[Dr. Cunningham]

15 per cent. rule is there to prevent further market concentration by a single company. The 20 per cent. rule, however, cuts a swathe through an existing newspaper market, placing newspapers on opposite sides of an artificially erected barrier. That is why we have suggested that the limit on cross-media holdings should be lifted, and that other regulatory mechanisms should be used to protect the public interest. That is what the ITC was constructed to do, and that is what the powers in the Bill allow it to do.

If the amendment is not accepted, we shall support the amendment tabled by the hon. Member for North Thanet (Mr. Gale). As is well known, he and I do not always agree on these matters in the context of the Bill, but we both see a considerable case for amendment No. 162, which is intended to allow a newspaper with more than 20 per cent. of the national market to become a television licence holder, and then to be allowed up to 12 months' grace in which to divest itself of some of its newspaper holdings.

On 21 May, in Committee, the Minister said:

"the hon. Gentleman will none the less see in paragraph 10 of part IV of schedule 2 on page 108 of the Bill that if the *Daily Mirror* wanted to acquire a channel 3 interest, it could have 12 months in which to divest itself of, for example, *The People*, or of whatever title it decided upon, in order to bring itself under the 20 per cent. ceiling. It could therefore make the takeover and then divest itself".—[*Official Report, Standing Committee D*, 21 May 1996; c. 423-24.]

There is indeed a measure of dispute about whether the Bill actually provides for such circumstances, but, in subsequent correspondence with members of the Committee, the Minister wrote that

"while the Mirror Group, or any other group holding over 20 per cent., could make a bid for a Channel 3 licence and indeed have the bid accepted, before they had made the necessary divestment, that Group could *not* take over and own the Channel 3 station until after the divestment."

That statement directly contradicts what the Minister said in Committee. The Government have apparently gone back on the commitment that everyone—including people outside the House—thought that the Minister had given, and I expect an explanation from him. Amendment No. 162 puts that commitment firmly in the Bill, and, given what the Minister said in Committee, the Government should be duty bound to accept it.

My hon. Friend the Member for Sunderland, South (Mr. Mullin), who has taken an interest in these matters, has tabled amendments which—although I cannot encourage the House to support them—would at least be fairer than the current position. They would exclude all the major newspaper groups from owning channel 3 licences. That might not be sensible in other respects, in that it could block the development of multimedia ownership, but at least it could be seen as fair among large newspaper groups. Because we support the development of multimedia ownership, however, we shall not support those amendments.

Unless this change is made, one newspaper group, Mirror Group Newspapers, will be denied the opportunity given to all other media companies in the group's area of operation—in its sector—and its development will be severely curtailed. There will also be a further imbalance in the power, influence and profitability of the British press. That is the long-term implication of the Bill's proposals.

It is argued that the amendments would benefit the Murdoch empire as well, but I do not consider that the circumstances are the same. First, if News Corp wanted a channel 3 licence, it would have to divest itself of not 3 per cent. but a massive 18 per cent. of its newspaper holdings to bring itself within the 20 per cent. threshold. Most people know that that is highly unlikely. Secondly, why should a company with a major interest in BSkyB bother to acquire a channel 3 licence when it is already making significant strides in the market, and has already publicly announced massive investment in digital satellite broadcasting?

It appears—I shall say this as gently as I can—not only that the Minister has gone back on the commitment that he gave in Committee, but that behind the scenes, in discussions that we all know to have taken place between officials of the Department of National Heritage and Mirror Group Newspapers and its representatives, commitments have been made and broken, and proposals that have apparently been accepted have subsequently been rejected. The Government have handled the whole issue very badly, but it is not too late for them to correct the position, and I urge them to do so.

Mr. Gale: I wish to speak to amendment No. 162, tabled in my name and that of the Leader of the Opposition. Let me make it abundantly clear that I do not support amendment No. 260. I am astonished that the Opposition should table any amendment that is remotely likely to allow News International a further stranglehold on the British media, and I expect not only my hon. Friends but Opposition Members to oppose it.

Amendment No. 162 simply seeks to place in the Bill the undertaking that the Minister gave to me in Committee. As the right hon. Member for Copeland (Dr. Cunningham) mentioned, in Committee the Minister said:

"if the *Daily Mirror* wanted to acquire a channel 3 interest, it could have 12 months in which to divest itself of, for example, *The People*, or of whatever title it decided upon, in order to bring itself under the 20 per cent. ceiling. It could therefore make the takeover and then divest itself, rather than the other way round,".—[*Official Report, Standing Committee D*, 21 May 1996; c. 423-24.]

In a letter to my hon. Friend the Member for Macclesfield (Mr. Winterton), who was the Chairman of the Committee, the Minister said:

"I would like to make clear that while the Mirror Group, or any group holding over 20 per cent., could make a bid for a Channel 3 licence and indeed have the bid accepted, before they had made the necessary divestment, that Group could *not* take over and own the Channel 3 station until after the divestment."

I have discussed this matter privately with the Minister and I am sure that he will not quarrel with what he said to me at the weekend, that it was his understanding that Mirror Group Newspapers—or, indeed, any other newspaper group, but we are talking about the Mirror group—could acquire a channel 3 company. That is the important part on which we seek clarification. If the Minister can give me the answer that I want, I shall not pursue the matter further.

I appreciate that the Mirror group would like more freedom, but I would settle for clarification as, I believe, would the Mirror group. I am told that it can acquire a channel 3 licence, but that it cannot control it until it has divested itself of *The People* or another newspaper. The confusion between us appears to be precisely what is

meant by "acquire" and "control". My understanding from our conversation was that the Mirror group could acquire a channel 3 licence, could buy all the shares, and leave the existing management in place while it divested itself within 12 months of newspaper holdings to bring itself within the 20 per cent. If it did that, there would be no problem and when it had divested itself of the requisite amount the ITC would approve the licence and the group would take over control as well as ownership.

It now seems that the group can acquire in the sense that it can sign on the dotted line and agree the price but that it cannot transfer the shares. That might seem merely semantic, but for the fact that David Montgomery, the chief executive of Mirror Group Newspapers, has told me that the City would not wear that; that it would not be possible to finance that kind of deal.

My interest in this matter is not to support the Mirror group: it does not support my party, it has certainly done me no favours, nor do I expect it to. As the Minister knows, my interest in the matter is purely one of equity. I do not care what political party the group supports and I am satisfied with the 20 per cent. figure, as was the Labour party in another place. It is only since the Bill came here that there has been confusion and concern among Opposition Members about the 20 per cent. As I say, I am happy with the 20 per cent. and I think that the *Daily Mirror* management has accepted it—provided that it is free to acquire the shares and then to divest, which is what the Minister said in Committee and what we all understood would be the case.

I do not suggest, and I slightly resent the fact that the right hon. Member for Copeland seemed to suggest—unless I misunderstood him, which I often do—that the Minister had in some way deliberately misled the Committee or the House.

Dr. John Cunningham *indicated dissent.*

Mr. Gale: I am grateful to the right hon. Gentleman. I withdraw my suggestion and thank him for his clarification. I certainly do not suggest that the Minister has in any way deliberately misled the House. However, it is important for all concerned to clarify this matter now at the 11th hour and to make abundantly clear precisely what the Minister seeks to allow anybody with a holding over 20 per cent. to do. If, as he has said, one can acquire the shares but not control, everybody would be reasonably satisfied. However, if all that one can make is some sort of half a deal and then divest, it is unlikely to be workable. I hope that the Minister will be able to give me the assurances that I seek in the name of fair dealing. It is as simple as that.

8.15 pm

Mr. Gerald Kaufman (Manchester, Gorton): I have a rather peculiar declaration of interest. For nine years I was a member of the staff of the *Daily Mirror* when it was one of this country's great newspapers and was directed by Hugh Cudlipp. I do not write frequently for newspapers in the Mirror group, although I write for a number of other newspapers. I therefore have a peculiar disinterest in the interests of the *Daily Mirror* and in the amendment that my right hon. Friend the Member for Copeland (Dr. Cunningham) has moved.

I hold no particular brief for Mirror Group Newspapers, and if the amendment sought only to favour that group I would not have risen to speak. Although my right hon. Friend the Member for Copeland, from his position on the Front Bench, has some sort of party political interest to pursue, from the Back Benches I rise loftily above such considerations. I am trying to deal with extremely important issues relating to communications policy which are involved in the amendment, in the schedule and in the part of the Bill with which we are dealing.

Much of the Bill is extraordinarily old-fashioned and backward looking. If I am called to speak on Third Reading I shall say more about that. It is an extraordinary Bill from a Conservative Government who claim to believe in the free market. The restrictions that it imposes on cross-media ownership are extraordinary not only because they come from a Conservative Government, but because they appear at a time when the whole nature of communications is changing.

Day after day, one reads in the specialist press about a coming together of newspapers, television, radio, computers and telephones. That development cannot be stopped and I strongly welcome it. The Bill, and particularly the part that we are debating, stands futilely in the way of that. Those developments will take place but the Bill will interfere with them in a partial and illogical way. This is not the moment to go into the utter idiocy of the calculation of rules about audiences and the nonsense of believing that one can estimate the proportion of 15-year-olds who watch or listen to television or radio programmes. Among adults that is absurd, but as the idea comes from the Department of National Heritage, it is neither silly nor absurd but absolutely characteristic.

While we debate this dull, drab Bill—little in its scope, if large in its number of pages and clauses—in other countries massive changes are under way. Microsoft and the National Broadcasting Corporation have got together to provide a 168-hour-a-week news service, which moves between the television screen and the computer, so that a viewer can amplify the news coverage as she or he wishes. All sorts of other developments are taking place. Later this year, it will be possible to have a device by which one can receive the Internet on the television set rather than on computer. Interactive computer games will be available on cable television. The whole communications landscape has changed while the Bill has been going through the House of Commons and since I spoke on Second Reading—even then, in a critical manner.

Because there is no logical consistency in the Government's policies on these matters, ITV companies are able to gobble each other up almost at will—one hardly knows any more which owns which—but unless the Bill is changed as a result of the amendment, it will mean not an organic and sensible growth of media ownership in this country, but a Procrustean interference in media growth, which will do no one any good and will do the country less good than anyone else.

As has been pointed out, in general, to abide by the restrictions in the Bill, newspapers could be faced with the absurdity of having to cut their circulation to meet the market share provisions. No newspaper can easily do that. What a newspaper group can do—and we are dealing with newspaper groups—is precisely what is being talked about and has been written about in the press in the past few days. For example, *The Times* reported that, in order not to be restricted by the provision—which my right hon. Friend the Member for Copeland is trying to relax—Mirror Group Newspapers is thinking of selling *The*

[Mr. Gerald Kaufman]

People. What good would it do to take a newspaper from the ownership of a group that is able to cross-subsidise it, if it needs to, if the newspaper is in trouble? Mirror Group Newspapers can do that and allow such a newspaper to float freely.

Right hon. and hon. Members may not have much of an opinion of *The People*, but that is not the point. The whole point about a democracy is that, in a democracy, newspapers of which one does not have a high opinion must have as much right to publish and as much chance of survival as newspapers of which one does, subjectively, have a high opinion.

Mr. David Winnick (Walsall, North): I understand the sentiments of my right hon. Friend the Member for Copeland (Dr. Cunningham) in moving the amendment and I have listened carefully to my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), but is he saying—perhaps if this is not the position, he will soon put me right—that he does not want any restriction on ownership, and that in a democracy all such restriction is an impediment to technological development in the media, because I do not go along with him on that?

Mr. Kaufman: My hon. Friend has a right not to go along with me. Restrictions of this rigidity, stringency and artificiality can only damage this country's communications.

Mr. Winnick: So no restrictions?

Mr. Kaufman: I am not saying that we should get rid of all restrictions—although there is an argument for saying that in a world in which this country's communications groups, with the exception of some of the largest groups, are tiny compared with those outside—so I do not give my hon. Friend quite the answer that he would like to have.

Let us forget about *The People*, although in a democracy it has as much right to publish and to seek an audience as anyone else, and consider the two other newspapers that are under the aegis of Mirror Group Newspapers: *The Independent* and *The Independent on Sunday*. Under its new editor, *The Independent* is becoming a remarkably interesting and vibrant newspaper which deserves much support. I say that again with a declaration of non-interest in that I rarely write for it and it is in competition with newspapers for which I do write.

Mr. Winnick: It must be one of the few.

Mr. Kaufman: I am open to offers. Could anyone say that it would be a good idea for these rules, restrictive as they are on Mirror Group Newspapers, to compel Mirror Group Newspapers to consider divesting itself of *The Independent*, which it rescued and which is becoming a remarkably interesting and individual newspaper? That will do no good. It will not even benefit newspapers with which *The Independent* competes, because a newspaper such as *The Guardian* must improve—and, by God, it has scope to improve—to compete with a lively newspaper such as *The Independent*.

Newspapers are not only publications that one purchases over the counter. It is not simply in the United States that Bill Gates is financing an Internet newspaper edited by the former editor of the *New Republic*. On the front page of *The Daily Telegraph*, in the bottom left-hand corner, one will find that we can get *The Daily Telegraph* on the Internet—an excellent idea. I hope that more and more newspapers will do that.

Other newspapers are expanding in different ways. Associated Newspapers owns Teletext, about which the Government have performed gyrations and acrobatics during the passage of the Bill. It also owns a cable channel. Mirror Group Newspapers owns a cable channel. I am all in favour of such diversification and diversity. I favour much more cross-media ownership, because that is good for the media and for creating more newspapers and publications, both in print and on the Internet.

If the Government persist in such a restrictive attitude, even for the short period of office remaining to them, they will be helping Britain to remain a tiddler in the international communications pool. That is not good for Britain. In relation to this part of the Bill, it happens not to be good for Mirror Group Newspapers, but the interests that I am talking about go far wider than that. I hope that the Government will listen seriously to the arguments of my right hon. Friend the Member for Copeland and accept his amendment because, apart from anything else, it will spare him from having to introduce a new Bill in the middle of next year.

Mr. Maclennan: It is odd that, in this debate about competition policy, the Opposition have at no time mentioned the interests of the consumer, whose concerns should be at the heart of the matter. We have heard from the right hon. Member for Manchester, Gorton (Mr. Kaufman) about the desirability of commercial expansion—empire building is what it might have been called in the days of old Labour—and the right hon. Member for Copeland (Dr. Cunningham) asked whether Mirror Group Newspapers was being unfairly treated. What we have not heard from the Labour party's spokesman in this debate is any indication of Labour's understanding of the purpose of competition policy, to protect the diversity and plurality of the channels of communication to the public.

The futuristic picture of the right hon. Member for Gorton is one that we can all enjoy speculating about, but it is the future. [HON. MEMBERS: "It is happening."] It may be happening, but the effects will take some time. No doubt other regulatory measures will be taken to ensure that the changes are properly reflected when they constitute a significant threat to plurality and diversity. At present, they do not. The right hon. Gentleman might take a very different view if, after the next election, *The Sun* was able to say once again, "It was *The Sun* wot won it", not only in the newspaper but in news broadcasts on terrestrial channels.

8.30 pm

The risk of over-concentration is not fanciful. I do not consider that News Corp, for other reasons of regulatory policy, including the nationality exclusions, is likely to be in a position to dominate in that way. However, the static view, that the relationship between companies will remain roughly the same as now, is an improbable picture of what is likely to happen over the next decade. That is what we are talking about. We are talking about legislating not for all time, but for the short term. That is not irresponsible, but is entirely necessary.

I do not think that anyone has argued that the 20 per cent. threshold can be justified in terms of any particular principle. That is a point I argued in Committee. The percentage threshold approach was argued by the Labour party when the Bill was introduced in the other place. Lord Donoughue argued that 25 per cent. would be an acceptable percentage because it would deal with the Mirror group problem.

Dr. John Cunningham: Will the hon. Gentleman give way?

Mr. Maclennan: In a moment.

The notion of a percentage threshold was accepted by the Labour party in another place, and 25 per cent. was held to be the appropriate figure because it would bring the Mirror group under the net.

I have no doubt that the Government were aware when they proposed 20 per cent. that the Mirror group was being caught on the wrong side. For that reason, I too would have accepted a movement to 25 per cent. When the Bill was in Committee, the Labour party's spokesmen argued that 25 per cent. would have been appropriate. The only reason they did not push that was the order in which the amendments arose. They said that they could not vote on that, and that therefore they would vote on the other approach—the one that they are pushing tonight—in amendment No. 102. That is a risky route, and we should not take it.

I am not alone in arguing that point. Many media interests, not only newspaper groups, are in favour of retaining what the Government have proposed. Granada and LWT have pointed out the risks of following the advice of the right hon. Member for Gorton. The House is wise to take some heed of those warnings.

If the Bill has to be changed in seven years, I do not think that that will mean that it has not served a purpose. There is nothing wrong with dealing with things as they are. That is better than having one's head in the clouds, which I suggest has been the case with the right hon. Member for Gorton during a number of debates on broadcasting.

Mr. Kaufman: I am not sure what the hon. Gentleman means about my head being in the clouds. For some time now, everything that I have talked about in all the debates on broadcasting—whether on the BBC charter, this Bill or at other opportunities—has been happening at the time or has come to pass. If the hon. Gentleman thinks that a description of developments in communications which are changing the nature of our world and our society means that my head is in the clouds, I fear that it is his head that is in the clouds.

Mr. Maclennan: The right hon. Gentleman knows, because I have made it clear, that I am not denying that those developments are taking place. What I am asserting, and what I assert again, is that they do not constitute a threat to diversity and plurality. Indeed, they may assist that process. As things stand, the narrow concentration of press ownership in the hands of a relatively small number of groups in this country could constitute a significant threat to diversity in the short term. That is what we have to deal with in the Bill.

I do not think that the Mirror group has been well served by its political friends, given the way they have twisted and turned around the question of the 25 per cent. market share. The amendment tabled by the hon. Member for North Thanet (Mr. Gale) goes some way towards helping to deal with the injustices, and I have no hesitation in subscribing to it.

It is reasonable that the Mirror group should be in a position to acquire a channel 3 television station and, within 12 months—the grace period allowed by that amendment—divest itself. That position, as it was understood by Committee members, appeared to be supported by the Minister in Committee. There have been the most extraordinary tergiversations in the Department of National Heritage since that time. Candidly, I cannot understand how the Minister has got himself into this position. He is an extremely straightforward Minister, and I can assume only that the affair has been taken out of his hands.

It was clear from what the Minister said in Committee—the hon. Member for North Thanet quoted his words—that he intended that the matter should be dealt with in the way proposed by the amendment. His letter of 28 June to the hon. Member for Macclesfield (Mr. Winterton) and other members of the Committee is incomprehensible in terms of the sequence of historical events—it does not lie squarely with what he said before—and makes no sense in English. I cannot imagine how it could be interpreted by a court of law.

I hope that the hon. Member for North Thanet has been drumming up some support for his amendment among his hon. Friends, and I hope that the Minister has had time to take into account the evident injustices to the Mirror group, which the amendment would go some way to addressing.

Another matter has been raised, probably with many members of the Committee, by the GWR Group. It concerns amendments Nos. 44 and 46. I feel that I should raise this matter, although I recognise that it is not as exciting as some of those we have been discussing so far. It concerns the Government's withdrawal of market share threshold on newspaper ownership of digital audio broadcasting, which GWR points out offers the newspapers the opportunity to enter DAB through the back door.

GWR says that, if DAB is to be the medium of the future, the amendments allow newspapers to move straight into that broadcast medium. The concerns expressed by the GWR Group include the lack of sufficient DAB spectrum for local multiplexes, and the fear that it will be further exacerbated by the added competition of free access by dominant newspaper groups.

ILR has already been put into an invidious position regarding access to local DAB multiplexes. The BBC local radio services and independent national radio have guaranteed access to their appropriate multiplexes. However, independent local radio has no such guarantee, and the lack of clarity will be compounded by the relaxation of newspaper ownership laws.

This group of amendments is probably among the more important matters that we have had to consider in the debate on this Bill. I must confess to having found the Labour party's position very disturbing if it is a reflection of how it may behave if it was ever to form a Government.

[Mr. Maclennan]

We must take its position seriously. I can assume only that the freedom of opposition allows it to canter down this rather circuitous route. I sincerely hope that it does not put itself in hock to substantial newspaper interests if it is entrusted with government.

Mr. Chris Mullin (Sunderland, South): I shall be brief, particularly as the Labour Chief Whip is in the Chamber. I shall speak to the amendments in my name and the name of my hon. Friend the Member for Great Grimsby (Mr. Mitchell)—amendments Nos. 260 and 261—and to those that are only in my name, amendments Nos. 262 and 263.

I listened with great care to the speech of my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman), whose views I always take very seriously. I think that he is wrong on this occasion, but I acknowledge that his position is well thought out, and one which he has held for a long time and argued consistently. I think that he has allowed himself to become dazzled by technology. I am much more interested in the quality of what appears on television, and the implications that that has for the future of our democracy.

Regulation in the British television industry has worked, and the only reason we have something worth defending is that it has worked. If regulation had not worked, or if we had not regulated in the 1950s, 1960s and 1970s, we would have nothing worth defending now. But we have something that is worth defending, which is why we must reflect carefully on where the future lies.

I should also like to comment on amendment No. 102, which was tabled in the name of my hon. Friends. I listened carefully to what my right hon. Friend the Member for Copeland (Dr. Cunningham) said, and I accept that there is a certain logic in the Opposition amendment. Whatever percentage one selects—whether it is 20 per cent. or 10 per cent.—by definition it will be arbitrary. Everyone understands that. But to accept his argument, one must have a touching faith in regulators' abilities.

As I understand it, the Opposition's position is to take off all artificial limits on the size of a newspaper company's market share before it moves into television, and to substitute a public interest test. To enforce that public interest test, one obviously must rely on the Monopolies and Mergers Commission, which has let us down very badly in the past, or on the Independent Television Commission, which has done better than the MMC. But I do not think that either of those institutions—even if they were beefed up—is necessarily capable of facing up to the mighty and enormous vested interests we face.

I should be much happier with amendment No. 102 if someone could convince me that those institutions were up to the task, that there would be a totally revamped MMC, and that behind it would lie the political will to stand up to those corporations. I believe that it is a responsibility of politicians to intervene in the broadcasting marketplace.

When my right hon. Friend the Member for Livingston (Mr. Cook) was the shadow Secretary of State for Trade and Industry, he wrote to the Director General of Fair Trading—who was then Sir Bryan Carsberg—to ask what he thought the limit should be on media ownership. Sir Bryan wrote back to him—I gave a little cheer when I read the letter—saying, in effect, that it was not a responsibility that could be shuffled off on to the Monopolies and Mergers Commission; it was a matter for politicians. It was for politicians to decide. He was absolutely right.

It is a matter for politicians to decide, and that is why I tentatively offer alternatives to the Opposition's position. My amendment Nos. 260 and 261 offer two alternatives. They are, as my right hon. Friend the Member for Copeland conceded, more logical than the Government's position, even if they are not his first preference.

8.45 pm

My first amendment is that no national newspaper should be allowed to buy into television. As I said, that is my first preference, everything else being equal. I want diverse media, and I think that that is an essential precondition of a democracy.

My second amendment, amendment No. 261, which is also in the name of my hon. Friend the Member for Great Grimsby, provides that only newspapers with less than 10 per cent. of the market may buy into television. That would have the effect—which I commend to the House—of excluding all our tabloid newspapers. It would not discriminate only against the *Daily Mirror*; it would discriminate against them all.

The argument for such discrimination is quite simple. Those who brought us junk journalism will bring us junk television if we let them, and we should not. There is nothing about those corporations' stewardship of our popular newspapers that suggests any reason why we should be nice to them. We had yet another disgraceful display with the recent European football championship of why we do not want the people who control those newspapers also to get their hands on television.

Amendment No. 262, which is in my name only, adds non-domestic satellite television to the categories listed in schedule 2. That would have the advantage of inviting Mr. Murdoch to choose between his television assets and his newspaper assets. I am neutral as to which he should choose, but, should he choose to stick with his newspapers, owning four national newspapers is too many in a fragile democracy such as ours. In my broadcasting Bill, newspaper corporations would be allowed to own one daily and one Sunday newspaper, and all the others would have to be put on the market. However, we are not discussing my Bill.

My amendment No. 263 would give any corporation that owns more than the limits allowed in the other amendments three months to divest.

As I said, I believe that the free flow of information is a precondition of democracy. I believe that diversity of ownership—the more the better—is the best guarantee of that. I do not believe that big is beautiful or necessary. We talk about the need to compete with mighty American corporations and with one or two of the big European ones. I do not think that we will ever be able to compete on that scale.

Ultimately, a handful of American corporations—probably American, but there may be one or two European corporations, and perhaps one Japanese among them—will eventually dominate most of the earth. I do not want to see us included as an offshore part of a great empire.

We have already reached a situation in this country in which Mr. Murdoch is so big that even the Conservative party—which helped to create this monster—is afraid of him. As politicians, we recognise that it is not possible to win an election with *The Sun* against our party. I do not think that Labour has won an election since Mr. Murdoch took control of *The Sun*. The best that we can hope for—and, by God, we are doing our best—is a surly neutrality at the next election, and we can expect that only once. I do not want somebody who has mishandled the newspapers he owns being given greater access to television.

Mr. Kaufman: My hon. Friend over-estimates the influence of the press. In 1970, the Labour party lost the general election even though it was supported by both *The Sun* and the *News of the World*.

Mr. Mullin: As my right hon. Friend knows, *The Sun* was a quite different animal in 1970. He and I both worked for the *Daily Mirror* in the days when it was a good newspaper—which it is not now.

Some 18 months ago, I introduced the Media (Diversity) Bill, which would have implemented one or two of the proposals in these amendments, as well as one or two other things. When I presented the Bill, I referred to those who are currently running our media as unscrupulous megalomaniacs. That resulted in my being invited to lunch, one by one, with all of them. They were charming and eloquent—not in any way the stereotype of a media baron. One by one, they sought to persuade me that big was beautiful, that they would be extremely responsible were the market to be allowed to let rip, and that we should regulate in general terms but not impose any limits on size. I am afraid that I was not persuaded.

Some of the arguments about the advantages of new technology were advanced at the time that Mr. Murdoch broke the unions at Wapping. I must say that, in some respects, he had a good case for doing so, bearing in mind some of the abuses in the newspaper industry. Those abuses could not be justified, and I would not try to do so.

It was argued that, as a result of all the new technology, there would be a flourishing of new titles—a thousand flowers would bloom, and a thousand schools of thought would prevail. A number of new titles did emerge, but they are all dead now, except *The Independent*. Of course, *The Independent* is not independent any more, primarily because Mr. Murdoch unleashed a price war in a ruthless attempt to sink his rivals. That was his objective. I believe that some of that philosophy will be extended to television ownership if we let the tabloid media barons into television ownership.

I listened to Viscount Rothermere on "Desert Island Discs" the other day. He is another whose interests would be affected by the amendments. He was idly musing whether he would allow one of his principal newspapers to support the Labour party at the general election. In a democracy, we should not need to persuade any of those people to back one political party or the other. I do not think that their stewardship of their assets has been acceptable in a democracy. I do not want them to extend their interests into television.

Of course, the *Daily Mirror* has already done so in a small way. It has ventured into cable television—something that was much remarked upon in Committee. The small audience enjoyed by its cable channel gets topless darts and Newsbunny. It is not just the same values that are being imported—it is the same people. Mr. Kelvin McKenzie now gives us junk television where before he gave us junk journalism.

With great reluctance, I will support the Opposition amendment. It has a certain logic, but it is entirely dependent on the powers that it gives to the MMC and the ITC. When the time comes, I will, with permission, press my amendment No. 261 to a Division.

Mr. Austin Mitchell: The choice between amendment No. 102 and amendment No. 261 is a choice between all and nothing. In effect, amendment No. 102 would allow any newspaper to take control of a television station or channel, whereas amendment No. 261 would not allow any tabloid newspaper to take control of channel 3. I support the amendment tabled by my hon. Friend the Member for Sunderland, South (Mr. Mullin), as I believe that we should exclude the tabloids from channel 3.

Although I agree with my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) about the desire of the newspaper proprietors and the big publishing houses to become multimedia giants with a powerhouse of information at their disposal across diverse media, that is really just their science fiction dream about what they have to become for competitive reasons, rather than a wish to make a genuine contribution or to improve themselves.

What will those people gain by becoming multimedia giants? It is fashion rather than competence. I do not know what they could possibly add to existing terrestrial television stations, which have been producing successful programmes, which have been successfully run and which have done a good job in serving their areas. They should not now be prey to takeover by giant newspaper groups. Would the newsrooms be merged? That would be disastrous for television news. The disciplines are different and the training, instincts and requirements of the journalists for balance and impartiality are different. Will there be synergy? Where can synergy possibly come from in that sort of takeover? Apart from cross-advertising between television and the newspapers, I can see no synergy. Will the quality of the journalism be improved? Will they bring the same balance, impartiality and fairness that characterise the tabloids—the *Daily Mail* is a classic example—to the newsrooms of television? What can they really contribute? The only experiments by the big newspaper groups in cable television have been disastrous.

I quite like Live TV, and I watch it when I get home late at night. It has a sort of low sexual stimulation—but it certainly is not Kelvin McKenzie's finest contribution to journalism. I think that Newsbunny is a great innovation. Indeed, the Conservative Front Bench has a Newsbunny—he is called a parliamentary private secretary. He sits behind the Minister saying, "Eee, get that," as a reaction to the Minister's approach. Newsbunny is a great idea, but it is not an astounding innovation that will revolutionise television, any more than topless darts will.

Where the media barons have experimented in television, they have made no real contribution. Channel One surely refers to the number of viewers rather than the title of the station. It is certainly not a great innovative

[Mr. Austin Mitchell]

station. I do not believe that they can add anything to television. If they want to be international players in an international market—they tell us that they want to be big so that they can compete internationally—the only way to achieve that is to make programmes.

The strength of this country is in production. The quality of British programming is the strength. If those people want to compete internationally, they could easily buy a production house and put money into it. Most production houses are short of money. Investment in production would make the newspaper groups international players. They do not have to own a television station and a television newsroom to make a contribution. They want to buy a slice of a monopoly to cushion themselves from the inevitable decline of print and the rise of television.

Too often, the desire to take over television stations is a formula for failure. The formula for successful businesses is to stick to what they are good at. I do not know why newspapers do not do that. The only justification for a newspaper group getting into television is that offered by Rupert Murdoch, who has been very successful—all praise to him—because he took a risk. He saw the opportunity to put the Sky channels on the Astra satellite.

We cannot—it would be unrealistic—penalise Rupert Murdoch for being successful, which is why I do not support amendment No. 262. He is the one person who has made a contribution to television. That powerful contribution has made all our lives and the diversity of viewing better. If other newspaper groups wanted to contribute, why did not they seize the opportunity that Murdoch seized right at the start, and get themselves on Astra?

I live in the real world. I am new Labour. I recognise that the righteous—a group which includes me and my hon. Friend the Member for Sunderland, South—do not necessarily prevail in the real world. I do not think that our amendments will be acclaimed. The backs of the heads of my Front-Bench colleagues have been especially inscrutable while I have been speaking. They have not been nodding the sort of ready assent that I would have expected for our amendment.

I therefore assume that we shall have to support amendment No. 102, which I hope will be successful. So we move from nothing at all to all. That is a rational position, because there is no logic in the distinction that the Government have drawn. If some newspaper groups are to be allowed in, all must be allowed in—especially the one that has made a contribution to television. The distinction is based on prejudice—prejudice against the *Daily Mirror* because it is Labour, and against Murdoch because he is successful. I cannot stand such prejudice on the Government's part. I shall enthusiastically support amendment No. 102, while, in my heart of hearts, wanting amendment No. 261.

9 pm

Ms Roseanna Cunningham (Perth and Kinross): I am grateful to the hon. Member for Sunderland, South (Mr. Mullin) for using a phrase that characterises some of the interventions on amendment No. 102—he mentioned being "dazzled by technology". That is what is happening.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) was right to talk about the current reality. I occasionally look at newspapers on the net but, for the foreseeable future, like everyone else, I shall get my news from actual newspapers, television and radio. That will be the case for most people for some time. To pretend otherwise is to live in a fairytale world. I suspect that my hon. Friend the Member for Banff and Buchan (Mr. Salmond) does not know his way around the Internet. That is probably true of a great many hon. Members.

There is a certain irony in the fact that we should be debating this matter now. Clearly, six months is a long time in terms of new Labour policy, as the people of Scotland have recently discovered to their cost. Labour's backsliding referendum proposal shows how much can change. It did not take it six months to make that turnaround. The policies that were proudly proclaimed in the winter have been shed at the first sight of the sun.

The leader of the Labour party said as recently as last year that the then shadow National Heritage Secretary, the hon. Member for Islington, South and Finsbury (Mr. Smith),

"has already laid out the principles which should govern this area—diversity of content, plurality of ownership, regional strength, quality of programme-making and the avoidance of excessive dominance by any one company."

I do not understand how the Labour amendment achieves any of those.

Cross-media ownership greatly concerns many hon. Members who recognise the threat to democracy and competition inherent in large cross-media corporations. Those are grave anxieties. I suspect that we should therefore consider Labour's motives in tabling the amendment with some cynicism. I presume that Tony Blair's jaunt to the News International conference in Australia last year is now getting its pay-back.

That Labour's amendment will favour the Murdoch press, among others, at the expense of the effective control of media ownership is a price that it seems willing to pay for the prospect of a gentler run in the forthcoming general election, as if adopting Tory policies on social and economic affairs is not going to be enough. The real lesson is: new Labour, no principles. Whether on the Scottish constitution or on this issue of media ownership, we are effectively seeing a two-faced Labour party. I am confirmed in my view that neither Tory Blair nor new Labour can be trusted.

Mr. Deputy Speaker: Order. The hon. Lady should know that she must not refer to hon. Members by their surname.

Ms Cunningham: I was referring to the right hon. Member for Sedgefield (Mr. Blair).

It is hard to see how the Labour amendment can be supported by anyone. I was therefore pleased to see the amendments in the name of the hon. Member for Sunderland, South—clearly without the support of Labour Front-Bench Members. I must admit that their sentiments are preferable to the Government's proposal, which seems designed to exclude just one or two newspaper groups, but would allow others into the market.

Amendment No. 261 would effectively prevent all UK tabloid newspapers from buying into television. The misuse of the word "national" has been frequent tonight:

many other hon. Members will agree that the United Kingdom is not a nation. The amendment would prevent cross-ownership between those UK tabloid owners and the new television services. Ultimately, that is a far better protection for democracy, which, thankfully, is still an important principle for some of us.

Mr. Winnick: I know that the Whips are keen to proceed to a vote, so I shall not delay matters for much longer.

Mrs. Jane Kennedy (Liverpool, Broadgreen) *indicated assent.*

Mr. Winnick: I see that the Labour Whip on duty is nodding her head in full agreement.

This debate, however, is one of the most important on the Bill, so there is some justification for expressing a view, however briefly. I well understand the points made by my right hon. Friend the Member for Copeland (Dr. Cunningham). Knowing the Government, I am sure that, if the Mirror group supported the Conservative party, the difficulties that my right hon. Friend seeks to resolve would not exist. The Government's political bias will come as no surprise to anyone.

I remain extremely concerned about the vast concentration of media ownership. Many of my hon. Friends agree that far too much of the national press is already owned by a handful of powerful companies. That position has existed for some time. I therefore see no justification for further strengthening those immense powers by allowing what would be, to all intents and purposes, a free-for-all over cross-media ownership. I therefore see much merit in the amendments of my hon. Friend the Member for Sunderland, South (Mr. Mullin).

In a democracy, it is always dangerous to allow a handful of people to have immense power.

Mr. Kaufman: The Whips.

Mr. Winnick: My right hon. Friend mentions the Whips, but their powers are indeed slight compared with the vast powers of those who dominate the media. It is undesirable and unhelpful when, in a parliamentary democracy, some people have the vast powers described by some hon. Members tonight. It is perfectly understandable that political parties are keen to have the support of one or two individuals who own vast numbers of newspapers and television channels. The fact that that is part of the present political process illustrates the point that I am making: it is unhealthy and undesirable. It is not possible entirely to avoid a concentration of media ownership in relatively few hands, but there are very few hands—far fewer than existed 50 years ago.

I accept that the television regulations at least allow minimum standards to be established. Last week, I read in *The Times* a letter from a former chief executive of a television company, who is anxious about poor standards of popular television shows in Britain. Having been to the United States and watched some of the popular shows there, he had reached the conclusion that we were not so bad; but surely that means only that certain regulations have come into force over the years, setting minimum standards.

This is a very important part of the Bill. The debate about whether far too few people have far too much power in this country will continue, because those of us who share my views believe that that power should be diminished, not strengthened. That is why it is important that there should be effective powers and regulations on cross-media ownership. It is undesirable for Mr. Rupert Murdoch or others to have excessive power.

The Government have not gone about things in the right way. My right hon. Friend the Member for Copeland made one or two valid points, but I believe that the excessive power of a few private individuals should be diminished as soon as possible, and I am not alone in that.

Mr. Dafis: I shall be the briefest speaker of all in this important debate. It is important that I stand up and be counted, as I did in Committee.

The situation is astonishing—or at least it would have been regarded as astonishing some time ago. An amendment that was presented in Committee by Tory free-market Back Benchers is now being brought back by Labour Front Benchers. The effect of the amendments would be identical.

We can speculate about the motives. The rational case was presented by the right hon. Member for Manchester, Gorton (Mr. Kaufman). He spoke about the fact that the boundaries between the various media are dissolving before our eyes. The pleasant reality is that those boundaries are there, and that crossing them is a significant act.

What of the other possible motives? The motive that I ascribed to Labour Front Benchers in Committee was to embarrass the Government by inflicting a defeat, by aligning with certain right-wing Tory Back Benchers. It did not work because on this matter I was prepared to support the Government, as was the hon. Member for Caithness and Sutherland (Mr. Maclennan).

Labour may be trying to out-Tory the Tories—it is doing that quite a lot these days—or it may be trying to please certain powerful vested interests, for goodness knows what reasons.

Whatever the motive for tabling the amendment, its effect would be to deregulate—a word that we often hear from Conservative Members—in a way that, I understand, the ITC does not approve of. The effect is to deregulate and, through market forces, to facilitate the process of aggregating power and influence in fewer, already very powerful, hands, in the key area of the mass media, so hugely influential on political developments, civil rights and so on.

I and my party want no part of that. We shall associate ourselves with the purpose and spirit of amendments Nos. 260 and 261, and we shall vote against amendment No. 102.

Mr. Sproat: The issue of the 20 per cent. national newspaper market threshold—covered by amendment No. 102—has been debated at considerable length at each stage of the Bill's passage. Our policy objective is to prevent national newspaper groups that enjoy a dominant position in the market from becoming dominant broadcasters, and vice versa.

I have heard nothing this evening that shakes the Government's belief that it is right, in the interests of plurality and diversity, to pursue that objective. The Government also remain convinced that it is right for Parliament to give a clear idea of the cut-off point at which a newspaper group is judged to be simply too large

[Mr. Sproat]

to be permitted to control our major broadcasters. We believe that that cut-off point should be at 20 per cent. of the national newspaper market.

Mr. Hoon: Will the Minister explain how the Government decided that 20 per cent. was the definition of a dominant position?

9.15 pm

Mr. Sproat: The Government started off by saying that there should be a cut-off point—and, as the hon. Member for Ashfield (Mr. Hoon) will know, his noble Friends in the other place also reached that conclusion—whether it be 15 per cent., 20 per cent. or 25 per cent. The Labour party now suggests that there should not be a percentage, but that there should be some other test. We looked at what other countries do—the French have a 20 per cent. cut-off and the Italians have a 16 per cent. cut-off.

We thought that 20 per cent. was a good place to start, so we fixed on that figure. We had to choose a figure because—as the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) rightly said—we do not want a dominant newspaper group to become a dominant terrestrial television group. The hon. Member for Sunderland, South (Mr. Mullin) said that the cut-off should be 10 per cent.

As I said, the Italians have set the cut-off point at 16 per cent., the French have set it at 20 per cent. and Labour Members' noble Friends in the other place started off by saying that it should be set at 20 per cent. and then changed it to 25 per cent. I do not mind that; I am merely making the strong point that a cut-off point had to be fixed, and 20 per cent. seemed to be a decent level—there was a precedent for it.

Mr. Kaufman: The Minister responded to the question of my hon. Friend the Member for Ashfield (Mr. Hoon) by proclaiming the virtues of 20 per cent. Why does he have the power in the Bill to change that figure? If the Government are so sure that the figure is right, why do they want the power to change it to something that they say is wrong?

Mr. Sproat: I have no such power in the Bill. Clearly, when the convergence develops—or converges more, if I can use that tautology—it may be sensible to look at those matters again. At every stage of the Bill, we have said that what we are debating now is what seems to be best in 1996. Nothing is more certain than the fact that technology will advance, and no one proclaims that more frequently and rightly than the right hon. Member for Manchester, Gorton (Mr. Kaufman). In five years' time or less, we may return to the matter and decide that 20 per cent. is not the best level at which to fix the threshold. The hon. Member for Ashfield asked me why we chose 20 per cent. and I gave him the precedents and the options—some countries set a lower level and other countries set a higher level.

We do not consider that it is appropriate to rely on public interest test considerations alone to regulate cross-ownership between newspapers and broadcasters, as has been suggested by some Labour Members. The general danger in doing so is that it would subject the regulators to the pressure that influence and circumstance can bring to bear. Moreover, great uncertainty would be caused in the media market, as no one could be clear in advance what rules would be applied. Above all, any decision by the House now to remove the 20 per cent. threshold would send a clear signal to the regulators and to the courts that even a newspaper market share above that could well be perfectly compatible with owning channel 3 licences.

I come to Government amendments Nos. 43 to 46. In Committee, the Government agreed that they would allow individuals and bodies corporate from outside the European economic area to control digital programme services and licences for television and radio. Having conceded the case for foreign ownership of digital sound programme services, I believe that it would be inequitable for us to retain the restriction preventing United Kingdom newspaper groups with a market share of 20 per cent. or more from being allowed to apply for such licences. The amendments achieve that objective.

I come now to my hon. Friend the Member for North Thanet (Mr. Gale). I do so willingly as he has had something of a triumph with this legislation, in that he persuaded us to amend various provisions during its passage in Committee. In this case, my hon. Friend's amendment would allow a national newspaper group that was above the 20 per cent. threshold to acquire a channel 3 licence and then have a 12-month grace period from the date of the acquisition to reduce its newspaper market share. My hon. Friend asked fairly whether I would spell out the Government's position in that area. I shall do so gladly—it is a complicated matter.

If Mirror Group Newspapers or any other group that has more than 20 per cent. of the market wants to bid for a channel 3 licence, it can certainly do so. I shall take the *Daily Mirror* as an example, but the same thing applies to other parties. It would go to the ITC and say, "We have 23 per cent. of the national newspaper market and we want to bid for the Loamshire Television channel 3 licence. We are prepared to divest ourselves of 3 per cent. and we shall do that by selling the following assets." The group could then divest itself of the assets immediately, or it could make the bid. It is perfectly straightforward—many companies must divest themselves of their assets under competition law because they need the cash to buy something else. There is nothing extraordinary about that.

The group could sell its assets before it made the bid, or it could tell the ITC that it wanted to pass the conditional public interest test. It could then bid and reach an agreement with Loamshire Television. As soon as the group complied with the condition of selling its assets, it could acquire Loamshire Television. It is a perfectly straightforward process that has many precedents in other areas of commercial life. That is how it would be done—if the Mirror group or anyone else wishes to do it, they should read *Hansard* and see.

Mr. Maclennan: Will the Minister address directly the comments of the chairman of the Mirror group to the Secretary of State? I shall quote from the letter that he wrote to her. He said:

"You said that you fully understood that to do so"—

that is, to notify the ITC in the way that the Minister suggests—

"would signal to the world that we were likely to attempt such an acquisition. You acknowledged that, should the acquisition fail, we would be left with the worst of both worlds having sold an asset and missed our target".

For that reason, the Secretary of State accepted the submission that is embodied in the amendment tabled by the hon. Member for North Thanet (Mr. Gale).

Mr. Sproat: If the chairman of the Mirror group were to say that to me, I would simply reply that it is normal in commercial life that, when one wishes to buy an asset, one may have to take a decision about selling another asset in order to do so. It is a perfectly straightforward commercial decision—it may not be an easy one, but it is not unusual. Companies do it all the time. If the Mirror group wants to do that, it can; if it does not, it need not.

If the Opposition press the amendments to a vote, we shall oppose them.

Dr. John Cunningham: The Minister has described a process which, in other circumstances, would involve providing market-sensitive information to the public. He is suggesting that Mirror Group Newspapers give a clear signal to the television sector that it is about to bid for a channel 3 licence. That is an absurd proposition, and he knows it.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) quoted from correspondence that is widely available. The Secretary of State told the Mirror group personally that she understood that the proposition would not work. It is not only that the Minister has changed his ground from the position that he took in Committee, but the Secretary of State has changed her position from the one that she took in conversations with people from the Mirror group. However the Government wriggle and twist and turn on the issue, they know that they are in a mess. The rules are not fair or rational.

The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), who spoke for the Welsh nationalists, did not learn much or listen to much in Committee. He accused us of tabling an amendment that was tabled in Committee by two Government Back Benchers. If he had read the amendment paper properly, he would have seen that the equivalent of amendment No. 102 was tabled in Committee by my hon. Friend the Member for Kirkcaldy (Dr. Moonie). The hon. Gentleman is wrong about that.

What actually happened in Committee was that Government Back Benchers recognised the force of the arguments of Labour Front Benchers. The hon. Member for Colchester, South and Maldon (Mr. Whittingdale) admitted that again today on television. He said that the Government's position was illogical.

Mr. Andrew Robathan (Blaby) *indicated dissent.*

Dr. Cunningham: It is no good the hon. Gentleman shaking his head, because we all heard the hon. Member for Colchester, South and Maldon say it.

The reality is, as the Minister would recognise in any other circumstances, that the Government have, unwittingly or otherwise, rigged the legislation. The Bill might even be subject to legal challenge in the European Court of Justice. The Minister mentioned maintaining diversity and avoiding dominant positions, but the legislation conveniently omits to take into account the regional newspaper ownership of United Newspapers and, especially, Associated Newspapers. If their regional newspaper ownership were taken into account, they too would fall foul of the proposals.

The Minister's response to the debate was inadequate. The explanation that he gave in response to the hon. Member for North Thanet (Mr. Gale) was also inadequate. For those reasons, we shall press amendment No. 102 to a Division.

Question put, That the amendment be made:—

The House divided: Ayes 232, Noes 302.

Division No. 166] **[9.26 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Armstrong, Hilary
Ashton, Joseph
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jenkins, Brian *(SE Staff)*
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter

Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
MacShane, Denis
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Sir Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Spearing, Nigel
Spellar, John
Steinberg, Gerry
Stevenson, George
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Turner, Dennis
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Ms Janet Anderson and Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, Cynog
Davies, Chris *(L'Boro & S'worth)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forth, Eric
Foster, Don *(Bath)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Harvey, Nick
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maddock, Diana
Madel, Sir David
Maitland, Lady Olga

Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Michie, Mrs Ray *(Argyll & Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Rendel, David
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wigley, Dafydd
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Dr. Liam Fox and
Mr. Richard Ottaway.

Question accordingly negatived.

Amendment proposed: No. 261, in page 129, line 34, leave out '20' and insert '10'.—*[Mr. Mullin.]*

Question put, That the amendment be made:—

The House divided: Ayes 73, Noes 303.

Division No. 167] **[9.40 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Bayley, Hugh
Benn, Rt Hon Tony
Berry, Roger
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Clapham, Michael
Clwyd, Mrs Ann
Cohen, Harry
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunningham, Roseanna
Dafis, Cynog
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge H'l)*
Ewing, Mrs Margaret
Flynn, Paul
Fyfe, Maria
Galloway, George
Gapes, Mike
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mildred
Hardy, Peter
Home Robertson, John
Jackson, Helen *(Sheffld, H)*
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Keen, Alan
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McKelvey, William
Mackinlay, Andrew
MacShane, Denis
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Maxton, John
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(Gt Grimsby)*
Mullin, Chris
O'Brien, William *(Normanton)*
Pickthall, Colin
Purchase, Ken
Radice, Giles
Rooney, Terry
Salmond, Alex
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Steinberg, Gerry
Sutcliffe, Gerry
Thompson, Jack *(Wansbeck)*
Wigley, Dafydd
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Wray, Jimmy

Tellers for the Ayes:
Mr. Frank Cook and
Mr. Brian Sedgemore.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Alton, David
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Begg, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim

Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Foster, Don *(Bath)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Harvey, Nick
Hasselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'ldford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Kirkwood, Archy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maddock, Diana
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Michie, Mrs Ray
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Rendel, David
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, The Reverend Martin
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Tyler, Paul
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Dr. Liam Fox and
Mr. Roger Knapman.

Question accordingly negatived.

Amendments made: No. 43, in page 129, line 35, at end insert 'or'.

No. 44, in page 129, line 36, leave out from 'service' to end of line 37.—*[Mr. Brandreth.]*

Mr. Gale: On a point of order, Mr. Deputy Speaker. My hon. Friend the Minister has been extremely generous in his concessions throughout the Bill and I am sorry that he has felt unable to meet me on this issue, but I have to respect his views. I have also had the benefit of the arithmetic of the last Division, so it would be unreasonable to force the House to another Division at this time of night. I do not, therefore, intend to press my amendment.

Amendment proposed: No. 162, in page 129, line 41, at end insert—

'(2A) If as a result of a takeover a person who owns or controls newspapers with a circulation market share above the percentage specified in paragraphs 4(1) and (2) becomes the holder of a licence to provide a Channel 3 service, the Independent Television Commission shall not for that reason alone revoke that licence unless a period of 12 months from the takeover has elapsed and the newspaper proprietor has failed to reduce the market share of those newspapers he controls to below the specified percentage.'.—*[Mr. Maclennan.]*

Question put, That the amendment be made:—

The House divided: Ayes 172, Noes 273.

Division No. 168] **[9.52 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Begg, Roy
Benn, Rt Hon Tony
Benton, Joe
Betts, Clive
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Davidson, Ian
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Eagle, Ms Angela
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gale, Roger
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Gunnell, John
Hain, Peter
Hanson, David
Hardy, Peter
Harvey, Nick
Hattersley, Rt Hon Roy
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffd, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Leslor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Llwyd, Elfyn
McAllion, John
Macdonald, Calum
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
MacShane, Denis
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morley, Elliot
Mowlam, Marjorie
Mullin, Chris
O'Brien, William *(Normanton)*
Olner, Bill
Pendry, Tom
Pike, Peter L
Prentice, Bridget *(Lew'm E)*
Radice, Giles
Randel, David
Rooker, Jeff
Rooney, Terry
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Spearing, Nigel
Steinberg, Gerry
Taylor, Matthew *(Truro)*
Timms, Stephen
Trickett, Jon
Turner, Dennis
Tyler, Paul
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Archy Kirkwood and
Ms Liz Lynne.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by're)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver

Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hicks, Sir Robert
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Patrick McLoughlin
and Mr. Roger Knapman.

Question accordingly negatived.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Broadcasting Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Wells.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Amendments made: No. 155, in page 129, line 47, leave out from beginning to end of line 5 on page 130.

No. 45, in page 130, line 26, at end insert 'and'.

No. 46, in page 130, line 27, leave out from 'services' to end of line 28.

No. 156, in page 130, line 39, at end insert—

'Holding of local radio licence by person running local newspapers with at least 50 per cent local market share

5A.—(1) A licence to provide a local radio service may not be held by a person who runs a local newspaper which has, or local newspapers which for the time being together have, a local market share of 50 per cent. or more in the coverage area of the service unless—

(a) the service in question shares a potential audience with another local radio service, but

(b) he does not hold any other licence to provide a local radio service whose coverage area is to any extent the same as the coverage area of the service in question.

(2) The reference in sub–paragraph (1) to sharing a potential audience shall be construed in accordance with paragraph 12(5) in Part III of this Schedule.

(3) For the purposes of this paragraph a person shall be treated as holding a licence if the licence is held by a person connected with him.'

No. 157, in page 131, line 10, at end insert—

'(5) This paragraph has effect subject to paragraph 6A.

Power by order to impose different restrictions in place of paragraph 6

6A.—(1) The Secretary of State may by order provide that, where a digital sound programme service is provided in any area, the holding, by a person who runs a local newspaper or local newspapers as mentioned in paragraph 6(1), of two or more licences to provide in that area local radio services which for the purposes of paragraph 6 share a potential audience with each other or with each of the others shall, instead of being subject to the restrictions specified in paragraph 6, be subject to other restrictions specified in the order.

(2) For the purposes of any order under sub–paragraph (1), a person shall be treated as holding a licence if the licence is held by a person connected with him.'

No. 67, in page 131, line 22, leave out from beginning to 'that' in line 23 and insert 'permitted period'.—*[Mr. Wood.]*

Mr. Deputy Speaker (Mr. Michael Morris): I shall now call amendment No. 68—

Dr. Moonie: I am on my feet, Mr. Deputy Speaker. I want to speak on amendment No. 67.

Mr. Deputy Speaker: It is too late. Voices have to be heard—physical movement is not enough.

Amendments made: No. 68, in page 131, leave out lines 37 to 40 and insert—

'(5) Subject to sub–paragraph (6), in this paragraph "the permitted period" means a period beginning with the day on which the licence holder becomes, or becomes connected with, the proprietor of the national or local newspaper ("the relevant day") and ending—

(a) in a case where the licence holder has, before the relevant day, notified the relevant authority that he will become, or become connected with the proprietor of that national or local newspaper on that day, at the end of the period of three months beginning with the relevant day; or

(b) in any other case, at the end of the period of three months beginning with the day on which the licence holder notifies the relevant authority that he has become, or has become connected with, the proprietor of that national or local newspaper.

(6) The relevant authority may in a particular case, after consultation with the licence holder, notify him before the time when the permitted period would (apart from this sub–paragraph) have ended that the permitted period in that case is to be calculated as if the references in sub–paragraph (5) to three months were references to such longer period specified in the notification as the relevant authority reasonably consider necessary in the circumstances.'

No. 69, in page 131, line 40, at end insert—

'( ) Nothing in any of the preceding provisions of this Schedule shall be construed as affecting the operation of this paragraph or paragraph 8 or 9.'

No. 70, in page 131, line 51, leave out from beginning to 'that' in line 52 and insert 'permitted period'.

No. 71, in page 132, line 17, leave out from first 'the' to 'that' in line 18 and insert 'permitted period'.

No. 72, in page 132, leave out lines 36 to 41.

No. 73, in page 132, line 44, at end insert—

'(8) In this paragraph "the permitted period" has the meaning given by paragraph 7(5) and (6).'

No. 74, in page 132, line 48, leave out 'relevant authority' and insert 'Commission'.

No. 75, in page 132, line 48, leave out from 'determine' to first 'that' in line 51 and insert

'before the end of the period specified in sub–paragraph (1A)'.

No. 76, in page 132, line 52, at end insert—

'(1A) The period referred to in sub–paragraph (1) is the period of three months beginning with the day on which the Commission are notified pursuant to section 19(3) of the 1996 Act of an agreement to provide the digital programme service, or such longer period beginning with that day as the Commission may in a particular case, after consultation with the licence holder, notify him during those three months as being the period which they reasonably consider necessary in the circumstances.'

No. 77, in page 133, line 4, leave out 'relevant authority' and insert 'Commission'.

No. 78, in page 133, line 4, leave out from first 'the' to 'that' in line 6 and insert 'permitted period'.

No. 79, in page 133, line 22, leave out 'relevant authority' and insert 'Commission'.

No. 80, in page 133, line 22, leave out from first 'the' to 'that' in line 24 and insert 'permitted period'.

No. 81, in page 133, line 41, leave out lines 41 to 44 and insert—

'(6) In this paragraph—

(a) references to a relevant local newspaper shall be construed in accordance with paragraph 8(7), and

(b) "the permitted period" has the meaning given by paragraph 7(5) and (6).'.

No. 82, in page 133, line 52, leave out '9(2)' and insert '9(1), (2)'.

No. 83, in page 134, line 21, leave out '9(2)' and insert '9(1), (2)'.

No. 84, in page 134, line 24, leave out '9(2)' and insert '9(1), (2)'.

No. 85, in page 135, line 3, leave out '9(2)' and insert '9(1), (2)'.

No. 158, in page 135, line 5, at end insert—

'Restricted television services

.—(1) The Secretary of State may by order—

(a) prescribe restrictions on the holding of one or more licences to provide restricted television services by a person who runs a national or local newspaper, and

(b) apply any of the provisions of paragraphs 7 to 11, with such modifications as may be specified in the order, in relation to the holding of a licence to provide a restricted television service.

(2) Any order under sub–paragraph (1) may provide that, for the purposes of any provision of the order, a person is to be treated as holding a licence if the licence is held by a person connected with him.

(3) In this paragraph "restricted television service" means a restricted service within the meaning of Part I of this Act.'—*[Mr. Wood.]*

Clause 73

VARIATION OF REGIONAL CHANNEL 3 LICENCE FOLLOWING CHANGE OF CONTROL

Amendments made: No. 159, in page 64, line 39, leave out

'imposed under subsection (1) or section 5(2)(d)'

and insert

'in a regional Channel 3 licence'.

No. 160, in page 64, line 45, leave out 'without that change having' and insert

'(whether or not that change has'.

No. 161, in page 66, leave out lines 25 to 28 and insert—

'(8) Where, in a case falling within subsection (2)(a), a notice under subsection (3) or (4) varying a licence is served before the change to which it relates takes place, the variation shall not take effect until the change takes place.'—*[Mr. Wood.]*

Clause 79

EXTENSION OF POWERS OF CHANNEL FOUR TELEVISION CORPORATION AND SIANEL PEDWAR CYMRU

Amendments made: No. 93, in page 70, line 26, after 'power' insert— '(a)".

No. 94, in page 70, line 28, after 'form' insert

'in any part of the United Kingdom'.

No. 95, in page 70, line 29, at end insert

'and

(b) to establish qualifying companies, to purchase or otherwise acquire shares, stocks or other securities of qualifying companies and to assist any qualifying company.

[Mr. Deputy Speaker]

(6) In subsection (5)(b) "qualifying company" means any company (whether incorporated under the law of the United Kingdom or of any other country) which is or will be wholly or mainly engaged in one or more of the following activities—

(a) the provision of one or more services which are licensed by the Commission or by the Radio Authority or which, if provided in the United Kingdom, would be required to be so licensed,

(b) activities incidental to such provision, and

(c) the holding of shares in any other company which is wholly or mainly engaged in such provision or in activities incidental to such provision."

(1A) In paragraph 1 of Schedule 3 to the 1990 Act (status and capacity of Channel Four Television Corporation) after sub-paragraph (3) there is inserted—

"(4) Section 24(5)(b) of this Act shall not be taken to limit the Corporation's power by virtue of sub-paragraph (3) to do such things and enter into such transactions as are incidental or conducive to the discharge of their functions under section 24(1) or (5)(a)." '

No. 96, in page 70, leave out lines 37 to 43 and insert—

'(b) to establish qualifying companies, to purchase or otherwise acquire shares, stocks or other securities of qualifying companies and to assist any qualifying company.

(1B) In subsection (1A)(b) "qualifying company" means any company (whether incorporated under the law of the United Kingdom or of any other country) which is or will be wholly or mainly engaged in one or more of the following activities—

(a) the provision of one or more services which are licensed by the Commission or by the Radio Authority or which, if provided in the United Kingdom, would be required to be so licensed,

(b) activities incidental to such provision, and

(c) the holding of shares in any other company which is wholly or mainly engaged in such provision or in activities incidental to such provision." '—*[Mr. Wood.]*

Clause 83

ENFORCEMENT OF LICENCES TO PROVIDE NON-DOMESTIC SATELLITE SERVICES

Mr. Rowlands: I beg to move amendment No. 216, in page 73, line 20, after 'determined', insert

', subject to subsection (6B) below'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 217, in page 73, line 28, at end insert—

'(6B) Where the payments received or to be received by the licence holder in connection with the licensed service derive wholly or mainly from the sale of goods or the supply of services not falling within subsection (2)(a) or (2)(b) of section 19, the qualifying revenue of the licence holder shall be determined in accordance with the principles set out in the statement referred to in Part I of Schedule 7".'.

No. 218, in clause 85, page 74, line 44, after 'determined', insert

', subject to subsection (9B) below'.

No. 219, in page 75, line 7, at end insert—

'(9B) Where the payments received or to be received by the licence holder in connection with the licensed service derive wholly or mainly from the sale of goods or the supply of services not falling within subsection (2)(a) or (2)(b) of section 19, the qualifying revenue of the licence holder shall be determined in accordance with the principles set out in the statement referred to in Part I of Schedule 7".'.

Mr. Rowlands: My amendment involves a point that I raised in Committee. The Minister said that he would consider it, but he has not responded. The ITC wishes to pursue the question of whether the qualifying revenues in clauses 83 and 85 cover revenues from home shopping channels. I would be grateful if he could answer that point. *[Interruption.]* Does the Minister wish me to elaborate further?

Mr. Sproat: In the general uproar, I could not hear what the hon. Gentleman was saying. Perhaps he could swiftly repeat his point.

Mr. Rowlands: In Committee, I asked whether, under clauses 83 and 85, home shopping channel revenues counted as qualifying revenues in respect of the £50,000 fines. The Minister promised that he would find out whether the ITC had a point. The fines involve a sum of up to £50,000 or up to a specified percentage of the qualifying revenue as defined in section 19 of the Broadcasting Act 1990. That includes advertising sponsorship and subscription income. The ITC is concerned about whether the large and growing home shopping channel revenues will be covered by the fines.

Mr. Sproat: I thank the hon. Gentleman for his courtesy in repeating his question. The answer is no.

Mr. Rowlands: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 3

THE BROADCASTING STANDARDS COMMISSION: SUPPLEMENTARY PROVISIONS

Amendments made: No. 86, in page 138, leave out lines 1 and 2.

No. 87, in page 139, line 4, leave out from 'State' to end of line.—*[Mr. Wood.]*

Schedule 5

TRANSFER SCHEMES RELATING TO BBC TRANSMISSION NETWORK: SUPPLEMENTARY PROVISIONS

Amendments made: No. 10, in page 143, line 45, at end insert—

'(aa) rights and liabilities of the BBC under any agreement or arrangement for the payment of pensions, allowances and gratuities ,'.

No. 141, in page 149, line 17, at end insert—

'Consideration for transfer etc.

10.—(1) A transfer in accordance with a transfer scheme may be made for consideration or for no consideration and, if it is made for consideration, the consideration may, in particular, take the form of the issue of shares or securities.

(2) In sub-paragraph (1), "transfer" has the meaning given by paragraph 1(1) of Schedule *(Transfer schemes relating to the BBC transmission network: taxation provisions).*'.—*[Mr. Wood.]*

Clause 127

AGREEMENTS WITH RESPECT TO TRANSFER SCHEMES

Amendment made: No. 139, in page 105, line 33, at end insert

', or the issue of shares or securities,'.—*[Mr. Wood.]*

Clause 133

GENERAL INTERPRETATION

Amendment made: No. 253, in page 109, line 24, after 'sections' insert

'(*Standards for transmission systems*) and'.—*[Mr. Wood.]*

Schedule 7

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 11, in page 151, line 31, after 'paragraph (b)' insert—

'(i)''.

No. 12, in page 151, line 32, at end insert—

'(ii) after "television programme services" there is inserted "and multiplex services (as defined by section 1(1) of that Act), and

(iii) for "such services" there is substituted "television programme services.'.

No. 214, in page 151, line 47, at end insert—

'. In section 72 of the 1990 Act (local delivery services), in subsection (2)—

(a) after paragraph (c) there is inserted—

"(cc) any digital programme service (as defined by section 1(4) of the Broadcasting Act 1996);", and

(b) at the end there is inserted "and

(f) any digital sound programme service (as defined by section 36(5) of the Broadcasting Act 1996)."'

No. 13, in page 152, line 20, at end insert 'digital sound programme'.

No. 88, in page 152, line 26, at end insert—

'. In section 112 of the 1990 Act (licensable sound programme services), in subsection (2)(a), after "sound broadcasting service" there is inserted "or a radio multiplex service (as defined by section 36(1) of the Broadcasting Act 1996)".'

No. 89, in page 152, line 29, at end insert—

'. In section 176 of the 1990 Act (duty to provide advance information about programmes), in subsection (7), in the first column of the table—

(a) after "Welsh Authority" there is inserted "and the service referred to in section 57(1A)(a)", and

(b) after "Radio Authority" there is inserted ", any simulcast radio service (within the meaning of Part II of the Broadcasting Act 1996), and any national digital sound programme service (within the meaning of that Part of that Act) subject to regulation by the Radio Authority" '.

No. 97, in page 153, line 5, after 'company' insert

', a Channel 4 company'.

No. 98, in page 153, line 13, after 'the BBC' insert—

'( ) in relation to a Channel 4 company, the Channel Four Television Corporation,'

No. 90, in page 153, line 16, after 'inserted ",' insert

'a multiplex service (as defined by section 1(1) of the Broadcasting Act 1996),'.

No. 99, in page 153, line 30, after 'BBC company' insert

', a Channel 4 company'.

No. 100, in page 153, line 36, after 'the BBC' insert—

'( ) in relation to a Channel 4 company, the Channel Four Television Corporation,'

No. 101, in page 153, line 42, at end insert—

'( ) after the definition of "broadcast" there is inserted—

""a Channel 4 company" means—

(a) any body corporate which is controlled by the Channel Four Television Corporation, or

(b) any body corporate in which the Corporation or any body corporate falling within paragraph (a) above is (to any extent) a participant (as defined in paragraph 1(1) of Part I of Schedule 2);" '.—*[Mr. Wood.]*

Schedule 8

REPEALS

Amendments made: No. 47, in page 156, line 45, column 3, after 'it,' insert

'in subsection (10) the words from "and for this purpose" onwards,'.

No. 215, in page 156, line 49, column 3, at end insert

'In section 72(2)(d), the word "and".'.

No. 48, in page 157, line 24, at end insert—

'S.I. 1991/1246	The Cable (Excepted Programmes) Order 1991.	The whole order.'

—*[Mr. Wood.]*

Clause 135

COMMENCEMENT AND TRANSITIONAL PROVISIONS

Amendments made: No. 7, in page 109, line 31, at end insert—

'( ) paragraphs 6 to 8 of Schedule 2 so far as relating to BBC companies (as defined by section 202(1) of the 1990 Act), and section 69 so far as relating to those paragraphs in their application to such companies,'.

No. 91, in page 109, line 35, at end insert—

'( ) section (*Modification of Restrictive Trade Practices Act 1976 in its application to agreements relating to Channel 3 news provision*),'.

No. 140, in page 109, line 36, after '5' insert

', (*Transfer schemes relating to the BBC transmission network: taxation provisions*)'.

No. 164, in page 109, line 36, after '5' insert

', (*Transfer schemes relating to the BBC transmission network: successor companies*)'.—*[Mr. Wood.]*

Clause 136

SHORT TITLE AND EXTENT

Amendment made: No. 252, in page 110, line 8, after 'Act' insert

'except paragraph 24 of Schedule 7'.—*[Mr. Wood.]*

Title

Amendment made: No. 172, in title, line 6, after 'interest' insert

'to amend in other respects the law relating to the provision of television and sound programme services'.—*[Mr. Wood.]*

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mrs. Virginia Bottomley.]*

10.16 pm

Dr. Moonie: An old dog can be taught new tricks. May I sum up the proceedings as briefly as possible?

First, I wish to raise an important point in the hope that, when the Secretary of State replies, she can give some indication to the ITC on it. Some amendments concerned the need for the ITC to apply its test to a cross-holding, irrespective of its size. I have a letter from the ITC, which says:

"The purpose of these amendments is to address a defect in paragraph 7(3) of Part IV of Schedule 2. At present if the ITC is notified of a cross-holding, no matter how small a share of the market the acquisition or start up represents, it has to apply the test. If subsequently the same broadcaster acquires a further large cross-holding, the ITC is then debarred from conducting a further test unless a different broadcasting interest is also involved."

It would seem logical that, in certain circumstances, say, if a company buys 1 or 2 per cent. of a licence, it is not worth while wasting time applying the test, yet the ITC is forced to do so. If the same company then moves and buys 50 per cent. of a licence, the ITC is no longer allowed to apply the test. The ITC should be given some discretion to decide when it is appropriate to apply the test and when it is not. If some direction can be given to it without it appearing in the Bill, it would benefit all concerned.

We have had an interesting few months since Second Reading. We had a long Committee stage and what appeared at times to be an even longer Report stage, although it accelerated towards the end. Despite our initial misgivings, some of which persist, our view has remained unchanged: in principle, we support the Bill and therefore have no intention of asking the House to divide on this issue. However, it is worth going over some of the changes that have been achieved in the Bill. I do not propose to try to claim all those as fantastic victories for the Opposition, as that is not the case. Although one or two are, I shall simply refer to them in a fairly neutral fashion because the Bill has been improved beyond all recognition during its passage through the Committee and on Report. That is the function of detailed scrutiny of legislation.

Statutory instruments have now been laid before the House in draft form on conditional access. I confess that I have not examined them in great detail, but they appear to be very good and meet most, if not all, of the concerns that we raised in Committee. I am glad of that. We shall see whether that remains so or whether the ingenuity of those who are supposed to be regulated by them finds some way round a measure that obviously will have widespread support in the House.

We welcome the reserve powers on technical standards that have been given to the ITC. We accept the arguments that a common set-top box, although ideal, may be a fantasy—something that we cannot realise in practice. At least giving the ITC reserve powers to determine technical standards has ensured that, if problems are seen to arise and if industry is unable to arrive at a consensus as to how the technological developments should take place, it has the powers to step in and try to do something about it. Everyone will welcome that.

We welcome the link to the provisions in the Broadcasting Act 1990 on quality, to which the Secretary of State has given at least ringing verbal support. *[Interruption.]* Rather less ringing, it appears. Perhaps I had better go back and read exactly what the Minister said, but it sounded fairly ringing to us the last time that she gave it.

We are glad that the mechanism for review of switch-off dates has been clarified. That is a very important point, which will raise public concern as time goes by. I could refer to items such as the single nominated news provider for channel 3, which is a welcome clarification of the position, and the protection of news access to sporting events and of channel 3 regions in the event of their being taken over, which was very welcome to many of my hon. Friends and I am sure to Conservative Members.

Some detailed improvements have been made to the position of S4C on digital. I am sure that my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) will wish to refer to that if he is lucky enough to catch your eye, Mr. Deputy Speaker. He will have to be here, of course, but I am sure that he will have returned to the Chamber by that time.

The Channel 4 funding formula arrangements have been clarified, if not necessarily yet resolved. There is the question of future privatisation of that organisation. Perhaps, in the not too distant future, the Government will be prepared to enlighten us as to their intentions. I am convinced that Mr. Grade would be very grateful for that, to enable him to plan for the future. We welcome the must carry provisions that have been introduced on cable. I speak personally when I say that the extra space that has been allocated for Gaelic broadcasting in Scotland will find great favour in vast areas of the country, and I hope that it will be improved in future.

Last but not least was the Minister of State's commitment today to review the perceived anomalies in television licensing. Such a review is long overdue, and we look forward to hearing more about it very soon.

Deficiencies remain in the Bill, which are inevitable, given its size and complexity. We are very disappointed that the Government saw fit to water down the commitment to people with sensory disabilities. I accept to some extent the logic of their argument that such things may be hard to do, but I believe that technological change is occurring at such a rate that this will seem to have been a bit mean-spirited in the not too distant future.

We are very disappointed that BBC employees were not given the assurances that they sought on pension rights. Such assurances have been given in every other recent privatisation. It would not have taken much effort to set those people's minds at rest.

Although we welcome our victory in another place on sporting events, which the Government accepted, we feel that our failure to carry the day on Report on the other changes that we want to the coverage of sporting events will ensure an inexorable decline in the general public's ability to watch popular sporting events on free to air television. That is to be deplored.

Despite the arguments advanced by other parties, we still believe that the cross-media ownership regulations are arbitrary and discriminatory. I hope that, when they are tested, as I hope that they will be, in the European Court, the Government get another bloody nose from that organisation and are forced to change their mind yet again.

The single biggest remaining problem with digital terrestrial television is whether it will ever get off the ground. The Labour party supports the principle—as do the Government—but we are dubious as to whether it will fly. Last week, David Elstein, the head of programming at BSkyB, said in *The House Magazine*:

"Digital terrestrial television is an industrial dead end . . . no broadcaster has any serious expectation that digital terrestrial will happen."

At least with this Bill, if nothing else, we are giving it a chance to happen—and that is all we can do at present. We can only give it a chance and hope that it will confound the pessimists and take off. Although I am not a natural pessimist—as hon. Members can tell by looking at me—I am somewhat pessimistic about the chances of digital terrestrial television.

We have consulted many people in this regard—as I am sure the Government have—and they share our concerns as to whether digital terrestrial television will fly. We believe that digital satellite and digital cable may well be a reality long before digital terrestrial television. That is why we need to have a legislative and regulatory regime that is able to cope with a rapidly changing environment. Broadcasting will continue to change quickly, particularly as near super-highway services are developing.

During the course of the Bill, the Government have said that there will need to be another such Bill in the future—the success or failure of digital terrestrial television will determine just how soon that new legislation will have to be introduced.

I thank my hon. Friends for their sterling support in Committee and on Report. We may not have seen eye to eye on every issue, but we generally managed to arrive at a consensus. I thank them all from the bottom of my heart for their support.

10.26 pm

Sir Wyn Roberts: I compliment the Government on safeguarding the Welsh language—provision has been made for it through S4C and the BBC's contribution to that service. I express my gratitude to my right hon. Friend the Secretary of State for National Heritage and to her colleague the Minister of State.

Some problems still have to be ironed out—such as the operation of the multiplex and the transmission coverage—but the general framework, with regard to the share of the multiplex and financing, is satisfactory so far as we can tell at this stage. We are standing on the threshold of the digital era. That era will be highly competitive, and I am not sure that our analogue broadcasters have fully grasped just how intensely competitive it may be. However, they have an in-built advantage in that they are already in the field and have an assured place in the digital spectrum. They have been given priority, but I have no doubt that others will challenge them.

A fundamental rule in a competitive situation is that people should look to the quality of their product—if they are good enough, they will win through and they will hold on to their audience. We must give viewers not necessarily what we think they should have or what they want, but, if possible, what they have not dreamed of—that was Shakespeare's recipe for success, and it still holds good. There will always be jockeying for advantage among competitive broadcasters.

As far as Wales is concerned, I have a great deal of sympathy with HTV, which has a heavy licence cost and faces the prospect of losing some £6 million in revenue from Channel 4. It must ensure that its changed circumstances are taken fully into account in the re-negotiation of its licence fee. That is the solution to its problem, and I am sure that it is aware of it.

I refer to the BBC in Wales. It is plaintive because it cannot get on the network as frequently as it would wish. That is the position now—it has nothing to do with digital, radio or television. I regret its lack of success as much as anyone in networking because it has some performers of outstanding quality. Essentially, it is an internal problem for the BBC to sort out. I would like to see more English programmes about Wales. That would please Welsh viewers in the first instance and then, I hope, secure recognition elsewhere. I cannot believe that

"All the air things wear
That built this world of Wales"—

as Gerard Manley Hopkins put it—does not contain infinite possibilities for good programming for those with creative minds.

10.29 pm

Mr. Kaufman: The Secretary of State was wise to say nothing in introducing the Third Reading of the Bill as there is little to be said for it. I think that my hon. Friend the Member for Kirkcaldy (Dr. Moonie), in his kindly way, was overgenerous in his comments about it. The Bill has been washed up rather than passed: it is part of television's past. Although it has sections relating to digital television, they hold the fort rather than look to the future.

Since the Bill began its passage through Parliament, there have been huge changes in the communications scene—including in television and broadcasting—in this country. However, those changes appear to have had little or no impact on the Bill, despite the many amendments that the Government have made to it. We are seeing a change in the television climate that makes the Bill largely irrelevant.

When Independent Television was introduced 40 years ago, it was a revolution. It doubled the number of television channels and changed the nature of, and the approach to, broadcasting. We shall soon have Channel 5, but a new television channel is no longer a revolution—it is a possibly interesting increment. During the Bill's passage, the scope of non-terrestrial television has expanded. The number of viewers who are linked up either by satellite or by cable has increased during that time and will continue to increase after the Bill becomes law. There will be 12 more satellite channels this autumn—a number introduced by Granada and one by Warner Bros.

Recent developments—which are highly relevant to discussions about the sporting events that have taken place—reveal the direction in which we are moving and the increasing irrelevance of the Bill even before it becomes law. This country has witnessed its first pay television sporting event—the Bruno-Tyson fight—and, although BSkyB did not make money on it, 600,000 people paid £9.95 to watch it. That is the way of the future.

The Premier league has sold its television rights for the next four years to BSkyB—with highlights rights to the BBC—for a much greater price than it paid for them when

[Mr. Kaufman]

it entered into the present five-year contract. It is only a four-year contract this time. With the arrival of digital television, the Premier league clubs do not want to be excluded from broadcasting their own matches on pay per view—as they may be doing in the new century.

Rugby league has changed from a winter to a summer game simply because it proved more lucrative when selling television rights. The Rugby Union game has been turned upside down by the perfectly legitimate purchase of its television rights by BSkyB. While that is going on and while we are arguing about who shall own ITV channels, ITV is shrinking. The ITV audience has shrunk substantially and it will shrink even more. The BBC audience is shrinking too, and it will shrink even more. My hon. Friend the Member for Kirkcaldy was accurate when he said that the prospects for digital terrestrial television are not great. The prospects for satellite digital television are far greater, especially with the possibility of the launch of a new satellite, which Mr. Murdoch will use.

Meanwhile, the BBC, which has made grandiloquent statements about the future of digital terrestrial television, does not have any money to launch digital terrestrial television. It has talked nonsense about obtaining the huge sums of money required from the private finance initiative and by economies on candle ends within the organisation. That shows how unrealistic and impractical the present BBC regime is and how increasingly unfit it is to run the BBC, which has also been shown by the serious attack on the World Service that the BBC has now undertaken.

The National Heritage Select Committee will shortly decide whether to conduct a new inquiry into the BBC and, like the inquiry that we conducted three years ago, it will inevitably be an inquiry into the whole subject of communications. When we conducted our last inquiry, we set the pattern for much of the activity that has taken place since and I hope that we shall be able to do that again. Indeed, some of the Government's setbacks on the Bill, to which my hon. Friend the Member for Kirkcaldy referred, would not have happened if the Government had had the good sense to pay greater attention to the Select Committee reports.

The problem with the Bill is not that it is a bad Bill, but that even as it completes its House of Commons stages it is becoming increasingly irrelevant to what will happen to the media, television and communications industry. The Government who will be elected next year will have to bring in the next broadcasting Bill and I hope that that Government will understand the need for vision in dealing with the subject, because vision has been sadly missing from the Bill.

10.36 pm

Mr. Gale: It is a pity that the right hon. Member for Manchester, Gorton (Mr. Kaufman) has been so uncharacteristically churlish, because many people have put a lot of hard work into the Bill. His remarks were wholly out of keeping with the courteous and constructive approach of the Opposition Front-Bench team, certainly in Committee. I wish to thank my right hon. Friend the Secretary of State and my hon. Friends the Ministers for the courtesy and consideration that they have shown, throughout the passage of the Bill, to the suggestions made by—it is fair to say—hon. Members from both sides of the House, on the Floor of the House and in discussions.

Few of us feel that the Bill has not been improved during its passage. It was never going to be a perfect piece of legislation because, as the right hon. Member for Gorton rightly said, the technology has changed as we have been speaking and will continue to do so. The right hon. Gentleman is profoundly wrong because the future is not in satellite, which is merely a delivery system. The long-term future will be in fully interactive cable services, but that remains to be seen.

The Bill, when it becomes an Act, will create a framework for the development of digital television for the digital future of communications. Those who have the courage to invest in that digital future will justly and rightly reap the rewards. If we have achieved that, we will have achieved a great deal.

10.38 pm

Mr. Kevin Hughes: I want briefly to refer to radio licensing and, in particular, a local radio station. Last year, the Radio Authority reconsidered the franchise covering my constituency, the Doncaster area. It advertised for a local radio station for the Doncaster area. At that time it was served by a Sheffield station called Radio Hallam.

There were two bidders for a local radio station in Doncaster. Doncaster has a population of around 300,000, and the metropolitan borough is, geographically, the largest in Britain. If that is put together with neighbouring areas, the population would be about 500,000. The Radio Authority, after advertising for a local station, saw fit to give the licence back to the regional radio station, Radio Hallam. Therefore, Doncaster still does not have a local radio station. Instead, it has three regional stations—Radio Hallam, Great Yorkshire Gold and Kiss FM. I understand that the Radio Authority's decision was challenged and one of the bidders sought a judicial review. Unfortunately, the Radio Authority's decision was upheld. Recently, the Radio Authority has said that there may be an opportunity to reconsider the Doncaster situation.

When I met the Radio Authority's chief executive he tried to fob me off with a small garden-shed medium-wave-type station which most hon. Members know would probably not get off the ground. We need an FM station with decent coverage; a decent commercial radio which could do the business, make money and provide a service for the Doncaster area.

I raise this matter because, the Radio Authority having agreed to reconsider the situation, at least one of the bidders is still interested in providing a proper commercial radio station to cover the Doncaster and Bassetlaw area. I do not want the Radio Authority to fob the people of Doncaster off yet again. We are not an outpost of Sheffield. We are fed up with being thought of as one. We have three regional radio stations. The Doncaster evening paper is basically *The Star* of Sheffield, with an additional two or three sheets.

I should like the Secretary of State to bang some heads together at the Radio Authority and tell it that if it intends to advertise for a local radio station for Doncaster again, it should award it to a station that will promise to provide a radio station for the Doncaster people, not yet another regional radio station. We already have three of those and we do not want any more.

10.42 pm

Mr. Robert Key (Salisbury): I intervene briefly to hand out some medals and to flag up an issue. I have medals for my right hon. Friend the Secretary of State, her Ministers and the staff of the Department of National Heritage for this remarkable Bill which has achieved a great deal. Legislation will never lead the technological way. It will always be the other way round, I suspect. But I have watched the Bill from the sidelines and it has made remarkable progress. I had hoped that it would address a particular problem, but it has not, so we shall have to wait for the next broadcasting Bill.

I want to flag up the fact that most of the effort seems to go into Britain's highly populated urban areas. However, many people in the United Kingdom live in sparsely populated areas which will never be cabled and where it will probably be impossible to receive satellite programmes, but who cannot receive the news and current affairs programmes which apply to them. I raise this on behalf of my constituents in Wylye, Steeple Langford, Hanging Langford and Amesbury. They cannot receive their local news from the BBC or from commercial television. They have to receive somebody else's local news in which they are completely uninterested. That must have an impact on the advertising revenue of the commercial stations.

I suspect that the problem will not be addressed by digital terrestrial stations, nor by the technology that is currently available, but it must be addressed somehow. It is not for me to say how, but I am quite sure that someone will find a solution. I shall return to the issue in the next broadcasting Bill on behalf of my constituents and the hundreds of thousands of people who must be in similar circumstances wherever there is a boundary problem.

I congratulate the Government on an excellent Bill that will benefit many people and technologies. It will add lustre to Britain's tradition of leading the world in broadcasting technology.

10.45 pm

Mrs. Anne Campbell: I shall be brief. The Broadcasting Bill has raised an interesting mixture of technical and political issues. We have touched on several matters that have not been mentioned so far on Third Reading such as our failed attempt to strengthen the equal opportunities provisions. I hope that we shall redress that, perhaps in the next broadcasting Bill.

I would offer my congratulations to the hon. Member for Harrow, West (Mr. Hughes) on persuading the Government to relent on the facilities for people with disabilities, particularly in respect of subtitling, signing and audio description for people with vision disabilities. That was a major triumph for which many people will be grateful for many years to come.

I am sorry that we did not succeed in amending the Bill to strengthen the notion of quality, as it is a key issue. There has to be a balance between quality and hard commercial decisions, particularly when they involve new technology that is not certain to get off the ground. However, most of us feel that any effort that is put into providing digital terrestrial television would include the facility to produce high-quality programmes.

Parliament is always better at being reactive rather than pro-active and I regret that we have not been able to take account of the way in which the technology is developing. Several hon. Members referred to converging technologies—telephony, computers and television—but few of us are in a position to make projections as to the implications of those converging technologies.

We shall need another broadcasting Bill within a short time as the way in which the Government have framed the clauses on cross-media ownership will prove unworkable and will become totally irrelevant within two years.

Reference has been made to set-top boxes and open standards. I expect that manufacturers are convinced that open standards are a good idea. If they were not convinced before, they will have been persuaded by the fact that IBM licensed its operating system to other manufacturers and made a great deal of money, whereas Apple Mac chose to remain technically isolated and lost its market share. There are two lessons to be learnt from that. First, open standards work and can be advantageous in the market and secondly, technical superiority does not necessarily prevail. It is rather curious that the market does not always win. Most people who are familiar with computing technology would agree that Apple Mac is far superior to IBM, yet IBM has triumphed because of its marketing rather than its technical quality.

I shall not delve into today's lobby on the BBC World Service—if I did so, you would no doubt rule me out of order, Madam Deputy Speaker, as the Bill does not specifically mention the World Service—but I am sure that we shall all want to debate the subject in the coming months. Certainly, people who have been here today have made strong representations about the need to preserve the quality of the World Service.

10.49 pm

Mr. John Greenway (Ryedale): I did not expect us to have an opportunity to debate the Bill on Third Reading. I apologise for not being present at the beginning of the debate.

Like my hon. Friend the Member for North Thanet (Mr. Gale), I served on the Standing Committee that considered the Bill that became the Broadcasting Act 1990. As an adviser to Yorkshire-Tyne Tees Television, however, I felt unable to serve on the Committee that considered this Bill: the future of Yorkshire-Tyne Tees Television's ownership is clearly affected by some its provisions.

The real question, which has been lost in many debates on the Bill, is why we should have such a Bill at all. Essentially its purpose is to provide a framework for digital television, and in that respect the Government must be congratulated: we seem to be ahead of the game compared with other western European countries. As my hon. Friend the Member for North Thanet said, it is impossible through legislation to drive what will happen in either technology or the market, but at least when the Bill is passed, Britain will have a framework. As our debates on the 1990 legislation made clear, people talk of prescribing quality, but it is impossible to guarantee where the money will come from to pay for that quality.

The lesson that we have learnt over the past five or six years, in radio as much as in television, is that those in the industry know far better than us politicians what will work and what the British people, as viewers and listeners, will accept, support and subscribe to. It is somewhat ironic that Classic FM, although never

[Mr. John Greenway]

prescribed in the 1990 legislation, has had such a success with only a glimmer of a legislative framework establishing what it should do. It has been successful because those who run it know how to run a radio station.

One of the main arguments during our debates on the Bill has concerned the future of Channel 4. When we debated the 1990 legislation, we were accused of giving Channel 4 an opportunity to secure its own advertising revenue, and of effectively selling it down the river. We put its remit on the statute book, and by and large that has worked. Channel 4 has been extremely successful in selling its own air time, to the point where channel 3 is receiving money back from it instead of the money going the other way. That should tell us that, while we have a close interest in the quality of our broadcast media, we often underestimate the ability of the talented people in broadcasting to know what works best. As a result of that ability we have some of the best broadcasting in the world, and we are all concerned about its future.

As the right hon. Member for Manchester, Gorton (Mr. Kaufman) pointed out, there are clouds on the horizon that we cannot ignore and I shall deal with two. We have not dealt with them in the Bill, but that is not the end of the world: we can still consider them. First, there is a gross inequality in what some channel 3 licence holders pay for the right to hold a licence. We should have provided for an early review of the matter, but that is still possible; we do not have to put it in the Bill.

Secondly, there is a gross anomaly because channel 3 pays almost £400 million a year to the Treasury while BSkyB, Channel 4 and other commercial broadcasters pay nothing. We must look ahead five or 10 years. As the right hon. Member for Gorton has said, if the ITV audience continues to shrink, as it must when all the other channels come on stream, what will be the ultimate solution? There will have to be a more equitable take of advertising revenue across the television spectrum and more people are beginning to realise that. That is as important for the Chancellor as what we pass in the Bill. The House will need to return to that.

My hon. Friend the Member for Salisbury (Mr. Key) alluded to the fact that in many ways new technology is great for urban areas but does not do much for rural areas. In large areas of my constituency, one planning restriction or another means that a satellite dish cannot be put on the roof. Cable television is 10 to 15 years down the line, but large parts of north Yorkshire will not be able to receive Channel 5 unless my hon. Friend the Minister for Science and Technology, whom I am glad to see in his place, and his Department agree to release channel 35 in the spectrum to Channel 5. That channel will be in direct competition with Yorkshire-Tyne Tees Television. Perhaps I should conclude on that happy note.

The Government are to be congratulated on producing the framework for digital television, but it was inevitable that such a Bill would raise many other issues. We have debated some of them and have left others for another day.

10.56 pm

Mr. Andrew Miller (Ellesmere Port and Neston): It has been fascinating to take part in the debates on the Bill. I have thoroughly enjoyed working with hon. Members of all parties in the past few months. I congratulate my hon. Friends the Members for Kirkcaldy (Dr. Moonie) and for Ashfield (Mr. Hoon). As shadow Ministers, they do not have the resources that are available to the Minister of State, whom I congratulate on grabbing pieces of paper from thin air and quickly absorbing their contents and on moving amendments at a rate of knots.

I do not mean to be disrespectful to the Minister when I say that the Bill has been legislation on the hoof. The way in which we deal with such matters shows that there is an underlying weakness in our procedures. Fast-moving technology meant that some of the Government's first ideas were overtaken by events and better ideas emerged. A good example of my concern occurred last night when we dealt with sensory impairment. I intervened on the Secretary of State during that debate. There was good will among all parties when we dealt with the clause relating to that, but we were not able to address some of the technical issues on the delivery of resources. We could not even answer some of the basic questions about the cost of the requisite technology. That was unfortunate.

My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) correctly explained how technology has taken a grip on the media. In Committee, I raised that issue in the context of local services in my area. Local newspapers are owned by Trinity Holdings, which has a monopoly on all such newspapers in my area. I do not regard that as a threat because it has exercised proper editorial control over the various parts of its empire and there is a diversity of newspapers in the region. It may seek to take a share in or buy a radio station—there is plenty of swapping and changing in this sector. Again, if it kept that clear editorial control, that would not be a problem. The public interest issue needs to be dealt with in the context of such companies seeking to give viewers, listeners and readers the same thing, with one particular editorial slant. Clearly, that is not in the public interest.

Our problem with the cross-media ownership debate, some of which became more heated than anything else during an interesting Committee, was that we were starting not with a blank sheet of paper but with a hotch-potch of different mixes of media ownership throughout the country and in different mediums. As a consequence, the debate was about what were, after all, arbitrary figures. That shows that we have not been able to deal adequately with some of the important issues.

In Committee, the hon. Member for Dover (Mr. Shaw) referred, in an exchange, I think, with the Minister, to the Internet site of *The Daily Telegraph*. What comprises the circulation of *The Daily Telegraph*? Is it made up just of the hard copies that it sells to people through its normal outlets? Does it include the 100,000 copies, or whatever the figure is, that it gives away to British Rail customers, or does it include its Internet site? It is difficult to give a definition of circulation.

The same is true of some of the more sophisticated magazine sites on the Internet. Where does one draw the boundaries between what is conventionally a magazine in hard copy, what is in electronic form and, increasingly, magazines that provide electronic clips? When we have video on demand on the television networks, we will be able to watch a film or a news item at our leisure and when we choose to do so. Broadcasting and magazines will become remarkably close.

One of the weaknesses of this complicated sector is the procedures that we have used. I commend to hon. Members the report of the Hansard Society Commission

on the legislative process, which was published in, I think, 1991. In appendix 5, it sets out a case study on the Broadcasting Act 1990 and gives some good reasons why legislation such as this requires a different approach. It makes an extremely powerful argument that we should have hearings from experts during the passage of such legislation in future. I hope that Procedure Committee members will consider the matter carefully in the context of that case study of the Broadcasting Act and of this Bill.

The Minister does not entirely disagree with my view. In an interesting exchange of letters, I brought to his attention an essay that I was using as a source, unusually because it was written by Boutros Boutros-Ghali. In our exchange of correspondence, the Minister agreed that, in this sector, the methodology that we were adopting was a weakness. I hope that I am not misinterpreting what he said.

In Committee, the Minister said:

"However, I remind members of the Committee that we are dealing with an interim Bill. No one here is in any doubt but that we shall have to return to the issue within the next three, four or five years."

I intervened and said, "In two years." The Minister said:

"The hon. Member for Ellesmere Port and Neston says two years, and he could well be right."—[*Official Report, Standing Committee D*, 4 June 1996; c. 462.]

That is the difficulty. It is interim legislation in an area of rapid change.

We have debated a number of particularly important issues. Obviously, the role of the media in a democracy and free society is important. We need to exploit the technologies that are available to us in the interest not just of our internal broadcasting media but of Great Britain plc. Massive export opportunities arise from the technologies at our disposal. We have a huge area of talent and expertise from which we can benefit.

I hope that we have done something positive in providing a basic framework for the beginning of the digital technology that is now potentially available. I do not hold with the view that it will be a failure. There is a huge potential market to be exploited. I wish the Bill well when it becomes an Act because there has been a fair measure of agreement among hon. Members on both sides of the House on some underlying points, which will prove to be a useful framework for the developing industry to which I have referred.

In conclusion—*[Interruption.]* This is wonderful. Having sat here silently all day, I am now being jeered by my colleagues—

Mr. Hoon: Cheered.

Mr. Miller: I prefer to hear that.

I wish the Bill well, but I remind the House of those observations. I think that we will have to return to it much sooner than we would have thought. I urge the House, particularly the Procedure Committee, to think carefully about this and the other broadcasting measure.

11.7 pm

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): The note on which the hon. Member for Ellesmere Port and Neston (Mr. Miller) concluded his remarks has, in many ways, characterised the passage of the Bill through the House of Commons. I should like to add my strong thanks and appreciation to my hon. Friend the Minister of State, Department of National Heritage, my hon. Friend the Minister for Science and Technology and all the members of the Committee. I should also like to thank the extremely hard-working officials from the Department of National Heritage, who laboured long and hard and who frequently kept their heads when all about them lost theirs. We are extremely indebted to them. I should like to thank the Opposition, especially the hon. Member for Kirkcaldy (Dr. Moonie) and his team. The spirit of constructive debate has been extremely impressive.

Despite the comments of the hon. Member for Ellesmere Port and Neston about how the Committee could have been handled better, it has been my impression that the regulators and the broadcasters have effectively been offering sessions to hon. Members of whatever persuasion to seek to consider options constructively and to provide information and advice to the best of their ability. In short, in many ways, it has been a model of careful scrutiny. Following the detailed debate and discussion in another place, I believe that it leaves our deliberations improved, modified and made more sensitive and appropriate to the evolving needs that have been described by many.

I dispute the suggestion that the Bill is not appropriate to current circumstances. I believe that the comment made earlier today by the hon. Member for Sunderland, South (Mr. Mullin) that it is easy to become dazzled by technology was fair. We have to regulate and establish a framework for the world as it is, albeit while recognising the very fast pace of change. It was because of the digital future that it was so necessary to introduce the legislation now, enabling us to be on the front foot and to provide the United Kingdom with a platform to take a world lead in digital broadcasting.

The Bill also gives media companies the freedom to expand into new sectors. It provides greater choice and it protects the interests of viewers and listeners. Hon. Members have already described some of the ways in which they believe that improvements have been made.

The hon. Member for Kirkcaldy raised a specific point that I should like to address. We think that the regulatory gap that the Independent Television Commission perceives is, in practice, not a major concern. If a broadcaster acquired a small newspaper, it would become a newspaper proprietor and subject to the newspaper merger provisions if it then proceeded to make a major newspaper acquisition. The Monopolies and Mergers Commission, on reporting the matter to the Secretary of State, would no doubt take into account the fact that the newspaper proprietor held a broadcasting licence when that appeared to be a relevant factor. In other words, we believe that there is adequate regulatory protection.

I suppose that I am pleased that the voice of the right hon. Member for Manchester, Gorton (Mr. Kaufman) is fairly isolated in being quite so critical of the Bill. The careful process of consultation on cross-media ownership and on digital television was followed by the Bill's launch in December, and that process was widely endorsed and commended by those in the industry and by other commentators for its detailed consideration and debate.

Of course rapid change is occurring, and we must be prepared for the future, but the legislation represents a very substantial process of deregulation, offering media

[Mrs. Virginia Bottomley]

companies a great opportunity to extend and to move into new markets. The divisions that emerged among Opposition Members earlier in the debate over the degree to which they were able to embrace the future were extremely marked and interesting.

My hon. Friend the Member for North Thanet (Mr. Gale) has played a very active part in the Bill's passage, and I share his view of the positive opportunities for the future. Few would have predicted that satellite would have expanded as it has; I believe that the opportunities with digital television will be similar.

The hon. Member for Doncaster, North (Mr. Hughes) asked a very important question about Doncaster. I shall never visit Doncaster again without worrying about being interviewed on radio, particularly if it is to see the developments of the Earth Centre, which is one of the millennium flagship projects there. I shall ensure that he receives a proper answer, and that there is further consideration of the matter that he raised.

I am delighted about the tribute that my hon. Friend the Member for Salisbury (Mr. Key) paid to officials at the Department of National Heritage, where he is remembered with great affection. I cannot promise that digital will solve all the reception problems to which he alluded, but I think that it will offer greater opportunities—certainly to develop regional and local services, which is not possible on satellite.

The hon. Member for Cambridge (Mrs. Campbell) made some important points and spoke a little about equal opportunities. Although it does not relate to the Bill, I shall send her a copy of what I told the Royal Television Society and skill set on that matter and on the need for people in television to act on the basis of enlightened self-interest, which, of course, means wise choices in staff. My remarks also dealt with the importance of investing in training and with the need for talented people. That point was made by my hon. Friend the Member for Ryedale (Mr. Greenway), who was a member of the 1990 Bill team. As he rightly said, the great success of Classic FM and Channel 4 since then is only a small indication of the opportunities that we now see for the future.

I thank hon. Members. I believe that we have ensured that the Bill, which we have seen through its Commons stages, will have the overall support of the industry, of regulators and of listeners. It safeguards and enhances the prospects for British business, British jobs and the British people. I commend it to the House.

Question put and agreed to.

Bill read the Third time, and passed.

DELEGATED LEGISLATION

Madam Deputy Speaker (Dame Janet Fookes): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

COMMUNITY SERVICE (SCOTLAND)

That the draft Community Service by Offenders (Hours of Work) (Scotland) Order 1996, which was laid before this House on 11th June, be approved.

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 21) (House of Commons Paper No. 431), which was laid before this House on 7th June, be approved.—*[Mr. Bates.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees),

SMALL AND MEDIUM SIZED ENTERPRISES

That this House takes note of European Community Document Nos. 6141/96, relating to a third multi-annual programme for small and medium sized enterprises (SMEs), and 6929/96, relating to loan guarantees for investments by SMEs creating employment; recognises the important economic role that SMEs play throughout the European Union and supports the Government's intention to support the proposals for the multi-annual programme, subject to satisfactory agreement with the Commission and other Member States about the detailed contents of the programme and the level of the programme budget, and to examine further the proposals relating to loan guarantees for investment by SMEs creating employment.—*[Mr. Bates.]*

Question agreed to.

Legal Aid

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

11.15 pm

Mr. John Marshall (Hendon, South): I make no apology for raising in this Chamber, yet again, the question of legal aid—although I apologise to my hon. Friend the Minister for the hour at which I am doing so. However, he has the bonus that it gives him the opportunity to comment on the Government's White Paper "Striking the Balance" on the very day of its publication.

As my hon. Friend knows, I have raised the subject of legal aid many times, both in Adjournment debates and in parliamentary questions. I have found that the concerns that I have raised have been echoed by many colleagues within the House, and by many people outside it. I obtained from the Library today a list of the questions asked on the subject of legal aid over the past 14 months. They number 250, which shows the concern of a large number of hon. Members about the position.

I pay tribute to the interest of the press in the matter. Both the *Daily Mail* and *The Sunday Times* have shown great interest. Whenever I have spoken on the subject and been quoted in the press, there is always an influx of letters from people all over the country who are concerned about the way the system is administered.

Paradoxically, while there has been a dramatic rise in the size of the legal aid bill—it was under £100 million in 1979, about £200 million in 1983-84, had grown to £1.2 billion 10 years later and is now about £1.4 billion—eligibility has been restricted. As my hon. Friend said only yesterday, the proportion of the population eligible for legal aid has fallen from 70 per cent. to 49 per cent.

Ironically, as my noble Friend the Lord Chancellor said, at a time of record expenditure on legal aid, the esteem and reputation of the Legal Aid Board are probably at an all-time low. There has been widespread concern that the taxpayer is not getting value for money, and that some of the cases supported by the legal aid fund are a disgrace.

A case referred to in parliamentary questions involved a prisoner who had absconded from prison, but was still being supported by the legal aid fund. The board might at least have said, "If you come back to prison, we will carry on funding you."

Only yesterday, we read about the disgraceful case of an individual suing the national health service because he has not died on time. It is a new concept of medical negligence—"You told me I would live for six months, but I have lived for three years. I am going to sue you, and it will be funded by the legal aid fund." The thought of taxpayers' money being used to sue the national health service for keeping someone alive beggars belief. I am glad to hear that my hon. Friend has called in the chief executive of the Legal Aid Board to discuss the matter.

Our constituents feel that the Legal Aid Board has not been a good judge of the quality of cases. The basic principle of legal aid—that no one should be denied access to justice—has been subverted in civil legal aid cases, because the legally aided litigant can blackmail his opponent. Such litigants know that, win or lose, they will not be out of pocket but their opponents know that, win or lose, they will.

In the north-west, people have sued chief constables for wrongful prosecutions. The insurers told the defendants that it was cheaper to settle than to continue the cases. Defendants have to calculate how much to offer, because the legal aid certificate might be withdrawn at that stage. They have to try to work out an absurd equation: will it be cheaper to fight or settle a case which logically they know that they can win but in respect of which they could lose financially?

In my constituency, there was the case of a partnership that had broken down. One partner sued the other. The party that was being sued was told by his lawyer that he had a wonderful case and would win. He fought it and won, but he was substantially out of pocket because of the legal costs. While the Legal Aid Board is sometimes asked to contribute toward the cost of a successful defendant, the number of cases in which that happens is negligible. A written answer on 16 October 1995 stated that, in 1994-95, help had been given in 158 cases; in 1993-94, the figure was 186.

There is a feeling that the wrong people have sometimes obtained legal aid. It is a scandal that some very well-heeled individuals have managed to get it. One thinks of Mr. Ernest Saunders, the man who made the miraculous recovery from Alzheimer's disease—"Guinness is good for you, it cures Alzheimer's". He was reconciled with his wife and her assets once he no longer needed legal aid.

There was Mr. Gordon Foxley, who short-changed the taxpayer when he was employed at the Ministry of Defence, and did so again when he applied for legal aid, despite owning houses and cars and seeming to have substantial assets. Those people's legal bills, which were often substantial, were paid by taxpayers who live in much less salubrious homes. Why should the not-so-well-off be asked to pay the legal bills of people with luxurious life styles?

The generosity of the legal aid scheme knows precious few limits. The most absurd case was that of the German inventor, who lived in Germany but sued Sony in the British courts. He will never pay one deutschmark of tax to Britain, but he received £500,000 in legal aid. That is a disgrace. I was sorry to read in the White Paper that the Government are going to consult on whether overseas residents who bring legal actions in the British courts should get legal aid. The Minister can consult me at any time of the day or night, and my answer will be no. Those who are not British taxpayers, owe no allegiance to the Crown or have no residence in this country should not qualify for legal aid.

It is also felt that there has been some fraud that the Legal Aid Board has not been good at detecting. On 2 February, a written answer in column *260* of the *Official Report* gave the number of representations about fraudulent applications for civil legal aid. In 1991-92, there were only 2,775; by 1995-96, it was estimated that there would be 15,000. There have been many representations but very few prosecutions.

In a written answer of 18 July 1995, at column *1013*, the then Parliamentary Secretary said that the number of applicants investigated for false declaration of means in 1987-88 was nil; in 1988-89, nil; in 1989-90, nil; and in 1990-91, six. The figure reached 15 in 1993-94, and 25 in 1994-95. The reply then said that the number of assisted persons prosecuted under section 39 of the Legal

[Mr. John Marshall]

Aid Act 1988 over the same period was nil until 1991-92, when we had a dynamic year and two were prosecuted. The figure returned to nil the next year, and, in 1993-94 and 1994-95, the Crown Prosecution Service went into overdrive and managed to prosecute two people in each year.

More recently, on 22 May this year, a parliamentary answer on fraud said that, in 1995-96, 29 cases were referred to the police in respect of civil legal aid, and, in respect of criminal legal aid, five assisted persons had been referred to the police. The number of applications for criminal legal aid runs into hundreds of thousands, and we are asked to believe that those chaps who are accused of crimes suddenly become terribly honest when they fill out the legal aid form. I just do not believe it.

Let us look at the cost of some of those cases. We were told on 26 February that, to date, the Maxwell case had cost the taxpayer £8.3 million. We can console ourselves with the thought that that includes an element of VAT, but it is still a large sum, which causes concern to taxpayers.

I congratulate my hon. Friend the Member for Corby (Mr. Powell), who asked on 1 May how much money had been paid to certain firms. In 1993-94, Robinsons topped the list of legal aid millionaires, because it received £3.2 million. It did not do quite as well the following year, when the figure was topped by Leigh Day and Company, which received £8.3 million from the legal aid fund. Those figures cause concern to taxpayers.

Another worry about the legal aid fund is part of a wider concern: that the costs and delays involved in legal action mean that the very rich can afford legal action; the very poor can afford it through legal aid; but middle England, middle Scotland and middle Wales find it very much more difficult. That is why I welcome the imminent report by Lord Woolf, which will speed up justice and thereby make it cheaper. That will help everyone—the legal aid fund and the rest of us who may from time to time have to litigate.

Today's publication of the White Paper is a fortuitous coincidence, and it enables me to comment briefly on it. I welcome the fact that the Government withdrew legal aid from the apparently wealthy, because nothing did more to bring the legal aid fund into contempt than the sight of very wealthy individuals living in large, luxurious homes, with a nice life style, being funded by people on much more modest means. There is no doubt that the legal aid fund gives the impression of being a juggernaut out of control, and the Legal Aid Board gives the impression of having a strange order of priorities. That is why I welcome some of the comments in the White Paper.

I welcome the fact that the White Paper is the first document for a long time that has emphasised the need to get value for money and financial control in the legal aid system. I also welcome the fact that the Lord Chancellor has said that he will lay down priorities within civil and family legal aid, and that, as one would expect from him, his main priorities will be the protection of children and the detention of mental patients.

I welcome the fact that there will be criteria for deciding whether cases should be supported. One criterion is the chance of winning the case. My God, that should have been a criterion from the start. The importance of the case, and the likely cost compared to the likely benefit—those should have been criteria from the start.

I welcome the statement in paragraph 2.21:

"Once a case is in progress, the provider will be able to withdraw legal aid if the circumstances . . . such as the chance of winning change so that it is no longer worth pursuing."

I am sure that that will be welcomed throughout the country.

I welcome the fact that, in civil legal aid, everyone will be expected to make a minimum contribution toward the cost of the case. That may deter some, but I still think that there is an unequal balance between the legally aided litigant and the person who must fight a case against him. It is true that, in the White Paper, the Government propose that, if the successful party suffers financial hardship, he will get some help, which he has not received until now, but I suspect that he will still suffer for winning, and that is not right.

I welcome the fact that other agencies besides barristers and solicitors are to benefit from the proposals, because one of the big growth areas of civil legal aid has been matrimonial legal aid, which grew from £87.5 million in 1989-90 to £266 million in 1993-94.

I especially welcome the publication of the White Paper, and the determination that the Lord Chancellor and the Parliamentary Secretary have shown in carrying out this desire to get value for money, to bring common sense back into the operation of the legal aid system.

As the White Paper says,

"We need to restore confidence that the scheme is fair and excludes weak or trivial cases."

If my right hon. and hon. Friends can do that, they will be doing a service to justice throughout this country.

11.31 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): I congratulate my hon. Friend the Member for Hendon, South (Mr. Marshall) on his success in securing this Adjournment debate, and on the timing of the debate, which coincides, as he said, with the launch of our White Paper today on legal aid reform. I am grateful to him for his customary robustness and forthright views on the administration of legal aid; I sympathise with much of what he has said.

I am as outraged as my hon. Friend when I see apparently fruitless cases being pursued with the benefit of legal aid. I am certainly not here tonight to defend the indefensible. The current state of the legal aid scheme and its administration leave much to be desired. That is why we have today published a White Paper containing a programme of radical action designed to transform the legal aid scheme into one that can command public confidence. The Government are determined to stop abuses of legal aid such as those that my hon. Friend mentioned.

I warmly pay tribute to my hon. Friend for his perseverance over the years in raising these abuses in the House. This has played a major part in bringing the Government to the stage of reforming the legal aid system. I am grateful to him for his warm welcome of the White Paper.

Before explaining the proposals that the Lord Chancellor has made in his White Paper, it is important to spend a moment reflecting that there is another side to the legal aid story. Reasonable access to the law is

fundamental to the health of our country. Legal aid is intended to, and does in thousands of cases, provide those in genuine need with the help they need with their legal problems. No one should be denied access to justice because he has nothing in the bank.

In 1995-96, the Legal Aid Board paid for 3.33 million acts of assistance. In only 5.2 per cent. of civil cases was judgment awarded against the assisted person. Since 1989, when the board assumed responsibility for the administration of most legal aid, the percentage of refusals of civil applications on legal grounds has increased from 11.3 per cent. to 22.7 per cent., demonstrating an improved commitment to the rigorous examination of applications. I nevertheless fully accept that there is much more to be done.

We will not rest until we are satisfied that the Legal Aid Board is capable of weeding out all undeserving applications for legal aid. My hon. Friend's list makes it clear that we have some way to go.

To illustrate what I have in mind, I shall outline some of my thoughts on what a legal aid scheme should and should not be about. The first principle that should be applied in every case in which an application for civil legal aid is made must be that public funds should not be used where a private client would not pursue the case with his own money. The legal aid system does not exist to support any and every piece of litigation that might crop up; nor is it designed to give financial backing to the whims of political correctness. We must have in place mechanisms to ensure that help is properly targeted.

It cannot be right that those granted civil legal aid are put in a position to blackmail their opponents by virtue of their superior financial support. I have spoken recently about opponents facing "state-funded rottweilers" when they are involved in proceedings against legally aided opponents. Legal aid was designed to stop the rich riding roughshod over the rights of the poor. However, all too often, legal aid is now used as a weapon of blackmail—my hon. Friend gave examples of that.

People with only modest resources find themselves unable to afford to defend their legitimate rights against those supported by the bottomless purse of the legal aid fund. The balance is wrong, which is why "Striking the Balance" is the title of the White Paper. All litigants, whether they be legally aided or not, should have a financial stake in the proceedings—an assisted person must have a real interest in his case. The Government cannot allow themselves to be a party to any form of blackmail caused by the legal aid system.

Legal aid must go only to those whose means are such that they are deserving of help. We have established strict financial eligibility limits to ensure that help is targeted properly. Despite this, it would appear that there are still those who seek to get around these rules in an attempt to get legal aid where they should not. On this front, we have already taken positive action.

Hon. Members will be aware of the changes that the Lord Chancellor has announced to deal with apparently wealthy legal aid applicants. On 28 February 1996, he announced new regulations to strengthen the arrangements' for means-testing apparently wealthy applicants for legal aid. The first will allow the assets of friends and relatives of the applicant to be included in the financial assessment. The second will introduce into legal aid assessment a limit of £100,000 on the equity allowable in the applicant's home, the amount of repayable mortgage that can be allowed, and the amount of mortgage that can be offset against equity.

The Lord Chancellor also announced that he had asked the Legal Aid Board to set up a special investigations unit as soon as possible. The unit will build on a prototype already in existence in the Legal Aid Assessment Office, and it will investigate the means of applicants whose financial circumstances are particularly complex. That will strike at the heart of the issues raised by my hon. Friend. Initially, the unit will deal only with applications for civil legal aid, but it will be extended as soon as possible to cover both civil and criminal legal aid. I am sure that my hon. Friend would welcome that.

We have already made these changes, and the White Paper that was launched today goes further. I believe that three main public perceptions must be addressed: first, the public see legal aid as wasteful in supporting too many weak and undeserving cases; secondly, the public see legal aid as over-priced, with taxpayers paying for what appear to be huge lawyers' fees; and, finally, the public see legal aid as unfair to the opponents of legally aided people, who too often feel that they have to give in on cases that they would have a good chance of winning.

We need a legal aid scheme that gets more of the right services to the right people. At present, we have a scheme which—despite efforts to control lawyers' pay and the tightening of the eligibility rules—is delivering less and less to fewer and fewer. Expenditure has doubled in the last few years, yet the percentage of households that qualify for help has fallen from about 70 per cent. in the early 1980s to about 50 per cent. now. In that light, reform is inescapable.

We have four fundamental proposals to tackle the problems that we have now identified in civil legal aid. First, in future we will buy a wider range of services under bulk contracts at fixed prices. In that way, we will be able to decide what services should be available and be able to meet local needs within nationally set priorities: we will be able to get the right services to the right people.

The second proposal is to open up legal aid to new services, such as advice agencies, and to promote competition in the contracting process. I welcome my hon. Friend's kind remarks about that suggestion. Contracts will have in-built incentives to promote efficiency and quality, and in that way we will be able to get more and better services for our money.

Thirdly, we will introduce a new test of whether a case deserves to share in the money available. That test will be stronger than the current merits test, which is concerned primarily with the legal merits. We will open the test out to include criteria that ensure that only those who are most in need receive help. An individual's nationality and place of residence may be relevant.

I want to make sure that any test that is operated under the new scheme has no difficulty in weeding out applications from people whose cases are being heard in this country only in order to take advantage of the generosity of our legal aid scheme. My hon. Friend will be reassured to hear that. In addition, by requiring assisted persons to pay more often towards the cost of a case, we can expect them and their legal advisers to be careful not to bring ill-founded cases.

Finally, we will redress the balance between assisted persons and their opponents by ensuring that, when legal aid is used to back losing claims, unaided opponents will

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have better rights to get some or all of their costs back from the assisted person or the Legal Aid Board. As a result, the state will be even-handed in its treatment of both parties. We see no reason why the taxpayer should be expected to fund litigants who are not willing to make a sacrifice themselves. It is in no one's interest to encourage people to bring weak and undeserving cases before the courts, especially when the taxpayer must foot the bill.

That is only part of the picture. We look forward in the near future to the publication of the Woolf proposals, which I hope will usher in a new regime of cheaper and simpler access to justice. That would be a significant step in the right direction. I trust that I can rely on my hon. Friend's support in implementing those legal aid reforms. He has played a vital role in bringing them about.

I truly believe that the reforms can achieve a fairer, more efficient and better controlled legal aid scheme. I fully expect that the horror stories that we have heard tonight will become things of the past. The changes outlined in the White Paper are indeed radical but, as my hon. Friend has helped us to understand tonight, nothing less will do.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Twelve midnight.

House of Commons

Wednesday 3 July 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

MV Derbyshire

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

9.34 am

Mr. Don Dixon (Jarrow): I thank you, Madam Speaker, for giving us the opportunity to raise this issue on the Floor of the House this morning.

Many of my hon. Friends and I are annoyed and disgusted at the cavalier way in which the Government have treated the investigation and the MV Derbyshire Family Association—people who lost their loved ones in the tragedy some 16 years ago. I shall come to the details later, but first I pay tribute to the many people and organisations that have kept the issue on the political agenda for many years, including my hon. Friend the Member for Liverpool, Garston (Mr. Loyden), who has done more work than anyone in the House to keep the matter in the public eye. He has initiated emergency debates under Standing Order No. 20, tabled early-day motions, asked numerous questions, raised the matter in an Adjournment debate and presented a petition. He has been relentless in trying to get at the truth about this terrible disaster, as have other Members of Parliament whose constituents lost their relatives on the Derbyshire, not least my hon. Friends the Members for Stockton, North (Mr. Cook) and for Sunderland, North (Mr. Etherington).

I also pay tribute to my old comrade, Jim Slater, who was general secretary—later president—of the National Union of Seamen. Jim spent the last years of his life fighting to get at the truth about the Derbyshire. Indeed, I recall sitting one Sunday evening at Littlehaven harbour in South Shields, watching the ships coming into the Tyne—something my wife and I often do on a Sunday night after I have left this place and gone back to civilisation—when Jim came along, taking his youngster for a walk. Within minutes, we were talking about the Derbyshire. Jim always had it on his mind. Unfortunately, that was the last time I spoke to him, as he died shortly afterwards while attending a war veterans' rally in Liverpool.

I also pay tribute to Paul Lambert, chairman of the MV Derbyshire Family Association, who lost his brother on the ship, and to the rest of the association. Those people have fought so hard and shown such patience in their fight for the truth and natural justice for their relatives who perished on the Derbyshire.

Mr. Dafydd Wigley (Caernarfon): My right hon. Friend will be aware that I lost two constituents, Peter Taylor and Griffith Wyn Williams, on the Derbyshire. In view of what he was saying about the rights of the families, is it not high time that they had full representation in any further inquiries and access to any further information that is available, so that their suffering can at last be put to rest?

Mr. Dixon: I totally agree with my hon. Friend, and I shall come to that point later. I appreciate that he has also taken an interest and attended our meetings in the House.

I also pay tribute to the National Union of Rail, Maritime and Transport Workers—formally the National Union of Seamen—which has been involved ever since the sinking; to the International Transport Workers Federation, which located the wreck; and to Dave Ramwell and Tim Madge, authors of the book "A Ship Too Far—The Mystery of the Derbyshire". I would recommend that book to anyone, and I sincerely hope that the Minister has read it.

On 29 January this year, I received a letter from Paul Lambert, chairman of the MV Derbyshire Family Association, in which he informed me that, at a meeting 10 days earlier, he was told by Mr. Frank Wall, representing the Department of Transport, that there would be no nominated experts from the association on the forthcoming return to the wreck of the Derbyshire. Following those representations from Paul Lambert, I wrote to the Secretary of State for Transport on 6 February, requesting that nominated experts from the MV Derbyshire Family Association be allowed on the forthcoming return to the wreck. I received a reply on 4 April from the Minister for Aviation and Shipping, saying that careful consideration was being given to my request, that he hoped to reach a decision soon and that he would let me have a substantive reply as soon as he had done so.

On 10 June, the Minister for Aviation and Shipping wrote to me, saying:

"we have concluded that it would not be appropriate for the Derbyshire Family Association . . . to be represented on the return expeditions."

In January, an official from the Department of Transport told Paul Lambert that no member of the association would be represented. Six months later, after careful consideration, the Minister confirmed that. Like many other hon. Members who are present today, I do not believe that the Government ever intended to allow the association to be represented. That illustrates the shabby and disgraceful way in which they have treated the association.

Not until the loss of the Kowloon Bridge in 1986 did a formal investigation into the loss of the Derbyshire take place, six years after it sank. Had it not been for the efforts of those I have mentioned and the hon. Members who are here this morning, the Government probably would not have revealed the truth.

Let me give a few details of the tragedy. No doubt other hon. Members will elaborate on them. The Derbyshire was built by Swan Hunter at Haverton Hill, Teesside, in 1976. She was the last of the six Bridge class oil-bulk-ore combination carriers, which were the first of their kind to be built in the United Kingdom. The six ships were the Furness Bridge, later renamed the Marcona Pathfinder and launched in 1971; the Tynebridge, later renamed the East Bridge and launched in 1972; the English Bridge, later renamed the Kowloon Bridge and launched in 1973; the Sir John Hunter, later renamed Cast Kittiwake and

[Mr. Dixon]

launched in 1974; the Sir Alexander Glen, launched in 1975; and the Liverpool Bridge, later renamed the Derbyshire, launched in 1976.

Of those six ships, only the first, the Furness Bridge, was built to the original design. Three of them had to undergo repairs at frame 65 to restore them to the original design and make them seaworthy. That left two, the Kowloon Bridge and the Derbyshire. The Derbyshire sank in September 1980, some 200 miles off Japan in the South China sea—amid waves, in a typhoon that she should easily have braved—while carrying iron ore concentrate from Canada to Japan, with the loss of 44 lives. She plunged two miles, so rapidly that there was no time to send a distress signal. There was not even time for an SOS.

The ship was 145 ft wide, the width of a six-lane motorway, and 1,000 ft long, the length of three football pitches. She was twice the size of the Titanic. She was only four years old—three working years old—and she remains the largest ship ever lost from the British register. Forty-four people died on the Derbyshire, of whom 42 were crew—officers and ratings—and two were wives of officers on board.

Despite the loss of so many lives, no formal investigation was carried out. Given such a massive loss of life, such an investigation should have been the norm rather than the exception; but, notwithstanding normal practice, the Minister announced in May 1981 that there was not enough evidence to justify an inquiry, although all the Derbyshire's sister ships had experienced problems.

On 11 March 1982, on a passage from Hamburg to Brazil, the Tynebridge—the second in the six-ship series—encountered a North sea storm, and started to split badly around frame 65. Such was the captain's concern that he arranged for most of the crew to be airlifted to safety. The ship, with a skeleton crew, was towed to Hamburg. Inspection of the ship in dry dock showed that she had not been built to design, and the damage was attributed to the change in the method of connecting the cargo section of the hull to the aft-end engine room section. The region affected was frame 65, which coincided with one of the ship's ribs. Let me explain to those who do not know the construction of ships that a ship's ribs that run horizontally are referred to as longitudinals, while those that run vertically are called frames. The frames are numbered from the aft rather than the forward end: frame 65 is near the aft end.

So alarmed were the surveyors of the damage to the Tynebridge that, unsolicited, they sent out warnings to the owners of similarly built sister ships. Two were given some strengthening treatment in the same year after similar damage was found in embryo form, and those repairs made the ships seaworthy for the first time. If actions speak louder than words, this is what the repairs said. First, the longitudinals—the spinal girders—should not have been terminated at and welded into the transverse bulkhead; they should have carried straight through the bulkhead.

In all my years in the shipbuilding industry—in which I worked from the time when I left school at the age of 14 until I retired from gainful employment and came to the House in 1979—I never worked on a ship on which the longitudinals were constructed in that way. The butts should have been staggered. When a house is built, the bricks are not placed in a single line; they are staggered to give them strength. The same applies to the longitudinals and frames on a ship. I believe that that is one of the reasons why the ship sank: there was a flaw in the bulkhead. I have no doubt that many of my hon. Friends agree—certainly my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), who, like me, has served time as a shipwright. Some of my other hon. Friends who are present come from that dying breed of Labour Members who have not only seen a pair of overalls but actually worn a pair, and it is good to see that they have turned up to discuss this important issue.

Dr. Norman A. Godman (Greenock and Port Glasgow): My hon. Friend kindly referred to me as an ex-shipwright. Let me say, as one former shipwright to another, that the fact that the longitudinal ended where it did indicates a distressing design fault. I do not think that that has anything to do with the way in which the ship was built by the lads at the yard.

Mr. Dixon: I agree, and I hope that some of my hon. Friends will elaborate on that. The ships were built to specifications laid down by law, and that is one of the reasons why I believe that there was a certain amount of cover-up over the sinking. The deck should have been at least 30 per cent. thicker, and the metal should have been D and E grade.

A question that has never been answered is this: how do those who claim that the hull of the Derbyshire was up to specification reconcile that claim with the fact that many thousands of pounds needed to be spent on strengthening and repairing that part of the hull on her sister ships? Only one other of those similarly built sister ships was not restored to the intended design; that was the third in the series, originally called the English Bridge and later renamed the Kowloon Bridge.

On 25 November 1986, the Kowloon Bridge, in an abandoned condition, struck Stag rocks, off the southern coast of Ireland, and gradually sank, splitting at frame 65. Following the loss of that ship, early in 1987, it was announced that there would be a formal inquiry into the loss of the Derbyshire. A report was published in 1989, stating:

"The Derbyshire was probably overwhelmed by the forces of nature in Typhoon Orchid",

and adding:

"the evidence available does not support any firmer conclusion".

I have a letter from Mr. J. F. Ibbotson, leader of the Australian branch of the MV Derbyshire Family Association. He writes:

"One of our Group, in command of an Australian registered Bulk carrier and taking the same course and the same cargo to Japan, heard no distress signal from Derbyshire because her end may have come too quick—in seconds.

The same member did not consider the Typhoon to be much different from the 30 or 40 each year which occur in the Typhoon season in which he has made safe passages for many, many years."

So much for the forces of nature.

Many people in the maritime industry believe that that formal investigation was a whitewash. It came about only because of the structural damage to the Kowloon Bridge, which finally embarrassed the Minister into calling the investigation. Some matters were not raised. The history

of cracking throughout the fleet was virtually ignored. Even the evidence from the Kowloon Bridge, which gave rise to the investigation, was ignored.

Crucial witnesses such as Professor Bishop, an expert in ship science, were not called. David Swift, the *Lloyd's Register of Shipping* surveyor at the shipyard at the time of the "design change", wanted to give evidence, but was prevented from doing so. The wreck commissioner refused to consider reports that pointed to construction failure at frame 65. The "rule of bias" was broken as one of the assessors had already sat on the executive committee of *Lloyd's Register of Shipping* when its technical arm investigated the loss of the Derbyshire—the register has a vested interest in the outcome of the case. Some members of the MV Derbyshire Family Association were treated disgracefully when giving evidence at the inquiry.

Forty-four lives were lost on the Derbyshire. Many other seafarers' lives have been lost in bulk carrier tragedies and many more are at risk. If the accident had happened in any other mode of transport—in aviation, for instance—all aeroplanes would have been grounded and unlimited money would have been spent to identify and to rectify all the problems, but that is not so in the maritime industry. It seems that seafarers' lives are not counted in the same context as those lost on aeroplanes or trains.

I support and agree with the National Union of Rail, Maritime and Transport Workers and the MV Derbyshire Family Association, which believe that the second survey should be a joint and open investigation—a point made by my hon. Friend the Member for Caernarfon (Mr. Wigley)—including representatives of the Ministry of Defence, the association's advisers, and appointed experts of the European Commission, under the control of an independent chairman. That would ensure that all parties accepted the second survey. After all, the association's advisers provided all the technical input for the first and successful wreck survey. It seems that Government Departments, having gleaned information from the association, have slammed the door firmly in its face.

If natural justice is to be seen to be done, the MV Derbyshire Family Association advisers should be included at all stages. Even at this late point, I appeal to the Government to have second thoughts and to allow those representatives to be on the survey.

9.51 am

Mr. Eddie Loyden (Liverpool, Garston): I congratulate my right hon. Friend the Member for Jarrow (Mr. Dixon) on securing this debate on the Floor of the House. His comments show the understanding in the House among those who either have worked in the shipbuilding industry or, like myself, were seamen. I first became involved in the MV Derbyshire case in the 1980s, through one of my constituents, who lost her husband in that terrible tragedy. Had there been no MV Derbyshire Family Association, the loss of the Derbyshire would have been long forgotten and none of the important things that have happened since then would have taken place.

I shall concentrate on my right hon. Friend's point about the way in which the MV Derbyshire Family Association has been treated over 16 years. We must remember that the first visit to the site of the Derbyshire disaster took place without the Government's assistance. It was the association, the people who gathered around it, and people who know the business and come from the maritime world, who took the initiative and, against great odds—some said that it was an impossible task—found the Derbyshire. That was the first breakthrough for the association.

We must understand that, in times of war, when ships are sunk by enemy action, the families of the people involved suffer as much distress as the families of those who lost their lives on the Derbyshire, but they know how and why their brothers, sisters, husbands and fathers died. The Derbyshire families do not know how or why the Derbyshire crew died. Their determination has ensured that the matter has stayed on the agenda for 16 years.

It does the Government no credit to exclude the MV Derbyshire Family Association from the next visit to the wreck. There is no logical argument that convinces me—or any fair-minded person—that it should not be part of the return visit to the wreck site. It has assisted and constantly argued the case. It found the wreck, the first great breakthrough.

About two or three weeks ago, I attended a meeting in London. Up to that time, the MV Derbyshire Family Association was firmly of the view that it would be part of the team to visit the wreck. There was no reason to think otherwise. At that meeting, the bombshell was dropped that the association was not to be included. The view that that is an absolute scandal is shared across the political parties in the House. Those families have been tortured for the past 16 years. We must understand that only the bonding of those people has led to the matter staying on the agenda.

The ship was not rusted up or an old tramp steamer. It was built to a modern design, with all the technology available to man. A big question mark hangs over not just the Derbyshire, but bulk carriers in general. As my right hon. Friend said, that is why the issue goes far beyond the MV Derbyshire Family Association and the United Kingdom. Throughout the world, there is concern about bulk carriers. People who have lost relations on those ships are not satisfied. The Government have a clear responsibility to open the door for the families to ensure that nothing is hidden. The Government should have nothing to hide, but there is a suspicion, which is founded on fact, that decisions have been taken to exclude the families from the next visit.

As my right hon. Friend said, I hope that, even at this late stage, the Government will reconsider the position. Only yesterday, in an another place, Lord Dean of Beswick and Lord Clinton-Davis raised the matter again with the Minister for Aviation and Shipping, who will still not concede the point that the MV Derbyshire Family Association should be represented at the next visit to the wreck.

I hope that the House will recognise that this is no longer a single Member echoing the wishes and desires of the MV Derbyshire Family Association, but a cross-party matter. Between 60 and 70 Members of Parliament have signed a motion formally supporting the association. That support will be ever-growing in the other place and in this House.

The issue will not go away. The association will ensure that it does not. It is seeking compassion from a Government who apparently have no compassion. I hope today that the Minister will use his good offices to ensure

[Mr. Eddie Loyden]

that the House's opinions are passed on to the decision makers who have excluded the association, and that justice will be seen to be done by including it in the return trip.

9.58 am

Mr. Matthew Banks (Southport): I am pleased to catch your eye, Mr. Deputy Speaker, in this important Adjournment debate. It is a privilege to follow the hon. Member for Liverpool, Garston (Mr. Loyden), and I pay tribute to the right hon. Member for Jarrow (Mr. Dixon) for persevering with his colleagues in seeking to be successful in the ballot for this debate. I am conscious of the fact that, because of his responsibility as a former deputy Chief Whip, the House has not had the pleasure of listening to contributions from the right hon. Gentleman. Towards the end of this Parliament, I am sorry only that we have had that particular pleasure now, on such a deeply upsetting subject.

There is broad agreement across the House on a variety of aspects concerning the Derbyshire, but I shall draw attention to one slight difference of emphasis. I agree with the right hon. Member for Jarrow that he and a number of his colleagues are a dying breed. I do not think that there are many shipwrights on Conservative Benches, but I am conscious of the right hon. Gentleman's point. I remember the maiden speech of the hon. Member for Sunderland, North (Mr. Etherington) as a tour de force and one that I shall remember for a long time.

Dr. Godman: Will the hon. Gentleman give way?

Mr. Banks: If the hon. Gentleman will forgive me, I do not intend to make a long contribution. As I know that the hon. Gentleman also wants to make a speech, and to be fair to other Opposition Members who wish to do so, I would prefer to make progress.

I have always been sympathetic to the MV Derbyshire Family Association's 16-year campaign. Its commitment and that of the RMT and the International Transport Workers Federation accurately to identify the causes of the sinking of the Derbyshire on 9/10 September 1980 has been total. No matter what caused the vessel to sink, the DFA's claim for compensation is much more understandable and deserving than the multifarious and cynical grievances that squeeze public finances these days.

Any Government must act responsibly even in the most wretched circumstances. As all the inquiries and reports have never dispelled doubts about structural failure, understandably Opposition Members, some of my hon. Friends and, to some extent, myself have consistently raised the spectre of a cover-up on behalf of the taxpayer since the privatisation of Swan Hunter, as the reason for compensation not being paid for the loss of the Derbyshire's crew. The DFA, perhaps naturally, has followed the lead of Opposition spokesmen in making such accusations, but I believe that some of them are groundless.

The Department of Trade and Industry completed a preliminary inquiry into the loss of the ship in November 1980, but the inspector concluded that, in the absence of any direct evidence, he could not draw any firm conclusions as to the cause of the vessel's loss. It was subsequently decided that a formal inquiry would not be held, because a court could not reasonably be expected to establish the cause of the casualty.

Replying to a parliamentary question in 1986, the then Secretary of State for Transport, the late Nicholas Ridley, stated:

"While I have every sympathy with those whose relatives were lost with the Derbyshire I have concluded that a formal investigation, conducted some five-and-a-half years after the loss of the vessel, is not likely to produce any significant additional evidence about the cause of her loss, beyond what is contained in the Department's report. I do not therefore propose to order one."—[*Official Report*, 21 March 1986; Vol. 94, c. *315*.]

The Department's report into the circumstances attending the loss of the MV Derbyshire stated:

"in the last analysis the cause of the loss of the Derbyshire is and will almost certainly remain a matter of speculation."

However, following the acknowledgement of structural problems with the Derbyshire's sister ship, Kowloon Bridge, after its break-up off the south-west coast of the island of Ireland, the then Under-Secretary of State, my hon. Friend the Member for South Worcestershire (Sir M. Spicer), announced on 12 December 1986 the establishment of a formal inquiry, while pointing out that the report of the damage suffered by the Kowloon Bridge concluded

"that there was no evidence of design defects or of structural failures of the kind that were suggested might have been the cause of the loss of the Derbyshire."—[*Official Report*, 25 November 1986; Vol. 106, c. 142.]

The formal investigation was concluded on 10 March the following year and confirmed my hon. Friend's prognosis—although doubt still remained about possible structural failure. The report's main conclusion was:

"The Derbyshire was probably overwhelmed by the forces of nature in Typhoon Orchid, possibly after getting beam-on to wind and sea, off Okinawa in the darkness of the night of 9/10th September 1980, with the loss of 44 lives."

The three main recommendations of the court dealing with maritime searches, tropical storm guidance and water drainage from cargoes were satisfactorily dealt with by the then Under-Secretary of State, my hon. Friend the Member for West Derbyshire (Mr. McLoughlin), who is in his place on the Front Bench. Despite tangible new evidence presented three years later, in 1990, by the hon. Member for Garston, the Brunel university paper and film of the Kowloon Bridge wreckage, the then Secretary of State, my right hon. and learned Friend the Member for Edinburgh, Pentlands (Mr. Rifkind), accepted advice that the new evidence was apparently not tangible enough.

The RMT—with which I have the occasional disagreement—to its credit, and the International Transport Workers Federation found the funds to finance a marine search for the Derbyshire and succeeded in locating it two and a half miles beneath the South China sea, near a speck of an island called South Daitoo, 1,000 miles south-east of Japan. However, sonar and video material of the Derbyshire's resting place was judged inconclusive by the chief inspector of marine accidents.

I hope that any lingering suspicions about the Government's motives can be put to rest, not only because of the appointment of Lord Donaldson to initiate an assessment but because of their acceptance of his key conclusions and a return expedition. Successive Secretaries of State for Transport have acted honourably

throughout this long-running saga, always on the advice of advisers. Even Opposition Members would have need of advisers if ever they took office—although one or two of them do their best at times to pretend in a cack-handed manner that they know it all.

The Government's actions have shown that opportunities have been given to overturn the original verdict and that the decisions not to do so were taken fairly. As Lord Donaldson said in his assessment:

"The United Kingdom cannot, in my judgement, be criticised for having failed to mount an expedition to find the wreck of the Derbyshire, bearing in mind the cost and the slim chance of success. However, the situation has been transformed by the discovery of the bow section and the opportunity which is now presented of making a truly scientific study of that section, of searching for and possibly finding and examining the stern section, and of a general study of the wreck site, albeit of a clearly defined nature."

I entirely agree with my hon. Friend the Minister and his colleagues on the need to keep the return expedition entirely independent, which means—regrettably—that DFA representatives might have to be excluded. Their attendance would be as prejudicial to the gathering of evidence as sending a representative of Swan Hunter or the Treasury. I want a satisfactory resolution to the case as soon as possible, which means leaving as little to fortune as possible.

In an exchange in the other place last week, Lord Clinton-Davis, the Opposition's transport spokesman, pointed out the difference between the more profound motives of the DFA in comparison to the opposing interests of the ship's owners and insurers and of the cargo owners. The Government should not approach the matter in that light—no hostages to fortune is the mindset that the Government must adopt if the case is to be resolved as quickly and as fairly as possible. Lord Donaldson remarked that this really must be the last re-examination of the wreck.

Over the past 15 years, 149 bulk carriers have been lost at sea, with the loss of 1,144 lives. Nine of them were lost in 1994, with 123 lives lost that year. No major design modifications have resulted, which is unacceptable. As a member of the Select Committee on Transport, which has taken an interest in the matter—particularly, in this Parliament, in relation to the survivability of roll on/roll off ferries—I shall be interested in the evidence that returns with the expedition concerning the design of long, heavy ships—even if one bears in mind the fact that the Derbyshire was double-skinned and the relative safety of hatch covers on bulk carriers. Some people might say that the appalling record of bulk carriers in terms of losses is largely attributable to most of them being single-skinned and aging.

I hope that the independent expedition will be helpful to members of the International Maritime Organisation's maritime safety committee, which I hope will retain its interest in bulk carrier safety after the expedition has ended and despite the cessation of the correspondence group's activities, particularly concerning the 1966 international low-line convention.

Lord Donaldson wrote in his independent assessment:

"Under Article 94 of International Law of the Sea Convention, which in this respect is tacitly accepted as binding on the United Kingdom, flag states are under an obligation to investigate and report on the loss of vessels flying their flag. The purpose of this obligation is to ensure that lessons learnt become available to the whole international maritime community. If this obligation were taken seriously by all, or even most, flag states there would be a mass of information available on bulk carrier losses. Sadly there is not."

The United Kingdom is no longer a major flag state, but we remain a world leader in the struggle to achieve safety at sea. The Select Committee on Transport has recognised the leading role that the United Kingdom has taken in pressing for improvements in safety standards. I trust that the Government will continue in that role.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I understand that the winding-up speeches will begin at 10.30 am. Four hon. Members are seeking to catch my eye to speak in the 20 minutes before then.

10.10 am

Mr. Bill Etherington (Sunderland, North): First, I congratulate my right hon. Friend the Member for Jarrow (Mr. Dixon) on being so succinct in his summary of the subject of this debate. I also appreciate the efforts made by my hon. Friends the Members for Liverpool, Garston (Mr. Loyden) and for Stockton, North (Mr. Cook), who have pressed this matter from the outset—long before I was elected as a Member of Parliament—and have kept it alive. I also echo the tribute paid to Jim Slater, who was conscientious and sincere in trying to get a good deal for his members and their families.

The former National Union of Seamen and the International Transport Workers Federation have accomplished something that the Government have failed to do. It is quite reprehensible that the Department of Transport has had to be dragged every inch of the way. This debate has been made possible only because of the endeavours of people who accomplished what the Department of Trade and Industry and its inspectors thought was impossible. Paul Lambert, chairman of the MV Derbyshire Family Association, has also been a stalwart in this matter.

I have two constituents who lost people on the Derbyshire, and I hope that they realise—as I hope that the DTI and Ministers realise—that this matter will not go away. The fact that 16 years have elapsed makes no difference. The matter must be pursued until a satisfactory conclusion is reached, regardless of what that conclusion might be.

It is interesting to note that when the Derbyshire was built in 1976 it was described as an "innovative design". One of the most important aspects when dealing with a new design is to ensure that it is built absolutely and entirely to specification. We have evidence that these ships were not built to specification. Even worse, perhaps, is the strange disappearance of the ships' plans made by Swan Hunter's naval architects. The plans should have been registered with Lloyd's, but they were never presented there and no one has had sight of them since. On the balance of probability, it is reasonable to assume that the Derbyshire was not built to specification, and that that was a paramount factor in what happened later. Apparently the MV Furness Bridge complied with the specifications, but it was the only one that did.

The failure to conduct a formal investigation in 1980 shows that the Government do not rate the loss of 44 lives very highly. It is a matter of fact and of history that

[Mr. Bill Etherington]

seafarers' lives have always been relatively cheap, not only in this country but all over the world. They receive inadequate compensation and often work in appalling conditions for some of the worst employers the world has ever seen.

There has been much talk about frame 65. My right hon. Friend the Member for Jarrow mentioned that the longitudinals should have staggered joints. He used the analogy of building with bricks. To take the analogy a little further, when one builds a house one does not build four separate walls and then join them at the corners with cement. One interlocks them, for strength. If one built a house with one brick on top of another, there is automatically a line of stress that is almost guaranteed to fail.

It is also interesting to note that the shipbuilder had to send out warnings to the owners. Again on the balance of probability, that shows that the design was inadequate and that the ships had not been built properly. That is no reflection on those who worked in the yards. For those who do not know, I should say that shipwrights and shipyard workers work to drawings. If the foreman is satisfied with how the drawing is executed, that is how the job is done.

I am very grateful to the hon. Member for Altrincham and Sale (Sir F. Montgomery) for sending me a copy of the book, "A Ship Too Far". I read it with great interest and learned much from it. It is one of the best books I have read, and I think that everyone should read it. All credit is due to those who wrote it.

The inquiry was appalling. Although we hear so much about open government these days, knowledgeable people—naval architects and others with great knowledge of shipbuilding and the effects of storms on ships at sea—were not allowed to give evidence as they wished. Such proceedings make an inquiry no more than a charade, and completely humiliate those trying to present their case.

It is deplorable that the most anti-union Government in the western world have had to rely on the trade union movement to further this investigation. That is an appalling indictment. I hope that not only the MV Derbyshire Family Association but everyone in Britain will take note of the way in which the Government have acted on this issue.

Hon. Members have mentioned Brunel university's investigation and the photographic evidence produced by the International Transport Workers Federation. That evidence should be seen by all hon. Members. One significant fact shown in the photographic evidence is that the load of iron ore reached the sea bed before the parts of the ship's structure. I always thought that steel was heavier than iron ore. I leave hon. Members to decide for themselves the implications of that, but it tells me—again on the balance of probability—that the ship broke up at or near the surface.

I ask the Minister to make resources available so that parts of the ship's structure can be raised from the sea bed. It can be done. We can land men on the moon. We have space probes. We live in an era in which we have the technology to accomplish that task; all that is required is the political will. I believe that the Government owe such an investigation to the 44 citizens of this country who perished. It is important for the families to be allowed, once and for all, to have some peace of mind and some rest. They have had 16 years of bashing against a brick wall with no worthwhile response from the Government. It is time to put that right.

It must not be forgotten that another ship, within a very short distance of the Derbyshire, managed to get through the "storm of all storms"—which we are now told was only an average storm for that part of the world. That should signify something.

There has been a catalogue of mistakes and a lack of political will to carry out investigations. It has been a shameful incident. Such conduct would be shameful for any Government—regardless of which country they governed or which party was in power—after such an incident.

10.18 am

Sir Fergus Montgomery (Altrincham and Sale): I pay tribute to the right hon. Member for Jarrow (Mr. Dixon) for raising this matter. He represents the constituency in which I was born, and I have many happy memories of that area.

I also wish to pay tribute to the right hon. Gentleman publicly for the work that he did on the Committee of Selection, where he served with great distinction. Last Wednesday, we had a rather ill-tempered debate in which the hon. Members for Banff and Buchan (Mr. Salmond) and for Warley, East (Mr. Faulds) made some very unpleasant remarks about the Committee, which shows their wilful ignorance. If every Committee worked as amicably as the Committee of Selection works, the House would be a happier place. During the time he was on that Committee, he was always completely fair and always kept his word. I am grateful to him.

I became involved in this matter because of a constituent called Captain Dave Ramwell, who has made the Derbyshire a cause celebre. He has spent I know not how many days and weeks delving into the matter and finding out an enormous amount of information. He deserves praise for his efforts. His work has always been painstaking, and whenever he has written to me he has been extremely polite. I pay tribute to him because, but for his work, much of the information that has been gleaned about the incident would not have come to light.

The Derbyshire sank without trace way back in 1980 near Okinawa. In 1982, the sister ship—the Tyne Bridge—started to crack during a storm in the North sea. The Tyne Bridge sailed under the Italian flag and went to Hamburg, where it was inspected by an Italian surveyor who decided that the damage was caused by the method of construction at frame 65, a point to which the hon. Member for Sunderland, North (Mr. Etherington) referred. I understand that *Lloyd's Register of Shipping* agreed with the Italian surveyor's decision and that the owners were warned about the difficulties that such ships, faced. At that time it also said that, of the four sister ships, only the first to be built—the Furness Bridge—had been built correctly. That brings me up to date and to the main thrust of my comments.

We are now to have the first forensic investigation of a ship that had hitherto disappeared. I believe that the information obtained must be disseminated as widely as possible. In this respect, I share the views expressed by the hon. Member for Sunderland, North.

Mr. Robert Atkins (South Ribble): In view of the time available, I will make a short intervention rather than a

speech. I simply wish to be associated with the campaign that my hon. Friends and the right hon. Member for Jarrow (Mr. Dixon) and his colleagues are waging. I, too, have a constituent who lost a relative on the Derbyshire and I take a continuing interest in the matter. I wish to record my appreciation of all those who have been leading the fight for the investigation and to ensure that the campaign continues because the issue will not go away.

Sir Fergus Montgomery: I am grateful for my right hon. Friend's intervention.

The MV Derbyshire Family Association wants its representative involved. The Department of Transport promised that the association would be kept informed of all developments. I attended an all-party meeting in the House on 30 April this year at which we were told that no decision had been made as to whether the DFA would be represented. We were also told that no decision had been taken on the direction that the investigation would take. I think that the hon. Member for Liverpool, Garston (Mr. Loyden) tabled a written question and received an answer on 7 May which confirmed that position.

Mr. Loyden *indicated assent.*

Sir Fergus Montgomery: The hon. Gentleman confirms what I have said. What I find difficult to understand is that, on 10 May, a seminar was held during which a man called Professor Faulkner let the cat out of the bag and said that things were not quite as we had been told.

I shall conclude my remarks shortly because I know that the hon. Member for Stockton, North (Mr. Cook) is desperate to make a contribution to the debate, but I will first quote briefly from the most recent letter that I have had from my constituent, Captain Ramwell. He writes:

"The Viscount"—

Viscount Goschen, Minister for Aviation and Shipping—

"did not explain to the DFA his reasons for denying their representative a presence on the expedition: he merely informed Paul Lambert of the decision. There were so called reasons given, but they were cosmetic.

If DOT appointed assessors are not balanced by a DFA assessor then the maritime world will not be able to place confidence in that part of any report that falls under the DOT. This is not to reflect adversely on the DOT appointed assessors; it is to say that the Rule of Bias—as at the Formal Investigation—is being broken.

The first visit was backed by the families' union representatives . . . Far from that being a drawback, it precipitated the re-investigation about to take place."

I hope that my hon. Friend the Minister has listened to the pleas made by right hon. and hon. Members from both sides of the House because members of the DFA feel very aggrieved at what has happened.

10.23 am

Mr. Frank Cook (Stockton, North): This is the first contribution made by my right hon. Friend the Member for Jarrow (Mr. Dixon) since he was appointed to the Privy Council. I congratulate him on that elevation, and on being successful in securing this debate.

I have about 100 pages of notes on this subject. It is a constituency interest, as the Derbyshire was built in my constituency. I must say that it was built despite the work force's protestations that the standards of workmanship imposed on them by management were unacceptable. The Lloyd's surveyor was also moved on because he so consistently and persistently pointed to the technical defects highlighted by my colleagues today. I agree with everything that my colleagues have said and with every tribute that they have paid. To repeat their comments would simply waste time and cut short the time available to me, so I shall concentrate on the facts that others have perhaps not been able to put together.

In this context, I thank the hon. Member for Southport (Mr. Banks) because the inconsistencies that he pointed out provide a good framework in which to place my comments. The hon. Gentleman said that he is an active member of the Select Committee on Transport. In the post this morning I received a copy of *Which?*, a publication not renowned for a lack of reliability. It states on its front cover, "Not again! When disaster strikes, why are the safety lessons so often ignored?" The accompanying article has the sub-heading, "Too little is done after a public transport disaster to make sure the same thing can't happen again". While the hon. Gentleman might think that the Select Committee is doing a good job, *Which?* has different ideas. I recommend that he read it.

The hon. Member for Southport highlighted other inconsistencies which deserve further illumination. First, the Donaldson report stated that the views taken of the debris field on the ocean bed were inconclusive. The natural response to that is that they deserve a better and closer examination. Secondly, however, Lord Donaldson said that this must be the last visit to the debris field; in other words, we had better make sure that this investigation is a good one.

I am sorry to labour the point about the MV Derbyshire Family Association's technical advisers, but who found the wreck? It was the technical advisers funded by the unions. Despite protestations to the effect that the Government had made various efforts in this respect, nothing was done other than to go through the motions of an investigation. Indeed, it is on record that informed commentators such as, for example, the Lloyd's surveyor were debarred from giving evidence. They were not invited to do so, despite their consistent appeals to be heard. I suggest that that is a clear indication that the pursuit of the truth was less than energetic.

Photographs of wreckage—specifically a lifeboat—were taken by a passing Japanese tanker. The photographs were then transferred to the owners of the Derbyshire, Bibby Line. Astonishingly, they were then returned to Japan and cannot be found. However, it has been established that the photographs showed clearly that the damage to the lifeboat was consistent with its having been ripped from its davits—in other words, due to a sudden submersion. Why did the photographs go missing? Why are the drawings not available? Why are the technical advisers not being allowed to accompany the expedition to ensure that it is conclusive and exhaustive and that the people who had the nous and the technical know-how to find the wreck in the first place have the opportunity to comment on behalf of the families now?

The Government say that they want to keep the survey independent. They say that the Department of Transport, the Marine Safety Agency and the marine accident investigation branch will also not be represented, creating the perception that it is a completely independent expedition. However, the Marine Safety Agency and the marine accident investigation branch are merely divisions

[Mr. Frank Cook]

of the Department of Transport, and the Department of Transport is certainly being represented as it is the Department that has appointed the two assessors and is paying them.

The hon. Member for Altrincham and Sale (Sir F. Montgomery) referred to Professor Faulkner, who was one of the two principal advisers to the Donaldson inquiry. He will be a member of the survey and he has been a principal spokesman. I like Professor Faulkner, but in all my work on the issue, I have been aided by a constituent, Gordon Finlayson, who served as an engineering officer on the Kowloon Bridge and who experienced some of the problems. He and I have written numerous letters, two of which elicited this comment from Professor Faulkner:

"Both letters show a refreshing breadth of objectivity"—

I am pleased about that—

"compared with what I now regard as depressingly closed minds from the DFA advisers".

It was not depressingly closed minds that set about finding the wreckage field. It was not depressingly closed minds that were persistent enough to take photographs of the wreckage and to bring them back to prove that they were right. Yet now, when we are to have a conclusive, exhaustive and final examination, those minds are suddenly described as depressingly closed.

The Department of Transport has been condemned for its lack of vigilance over the incident. Many vessels have been lost and hundreds of lives have been wasted, quite apart from capitalist concerns such as lost cargo and insurance pay-outs. I appeal to the Minister, who is normally a most reasonable man—I do not say that facetiously—to have second thoughts on this occasion. For God's sake, let him do the decent thing and allow at least one technical adviser to go to the site who knows what has happened and what we may find.

10.31 am

Mr. Graham Allen (Nottingham, North): I thank my hon. Friend the Member for Stockton, North (Mr. Cook) for cutting his remarks short. I will do the same to allow the Minister to have 15 to 20 minutes in which to reply, because we wish to hear from him.

This debate shows the House at its best and its worst. It shows it at its best because the issue raised by my right hon. Friend the Member for Jarrow (Mr. Dixon) has persistently been raised on the Floor, through the use of every possible parliamentary device, by my hon. Friend the Member for Liverpool, Garston (Mr. Loyden), whose work is an example to us all of the way in which a constituency Member should carry out his job—with great tenacity, using every device in the House.

The debate also shows our weakness, in that Parliament has been unable seriously to hold the Government to account over the past 16 years in order to get a serious and full investigation into what really happened to the Derbyshire. People who care about our Parliament, regardless of party, should pay close heed to that point. Let us get it right this time and let us ensure that in future Parliament has the teeth to ensure that such incidents are investigated thoroughly and quickly, even if the Executive choose to handle the matter differently.

It is unacceptable that, after 16 years, we still have not had a proper and full investigation of the Derbyshire incident. That has not only let down the families of those concerned, but has meant that the crucial issue of bulk carrier safety has not been raised. It was only when I assumed this brief for the Labour party six months ago that I realised the full horror of the safety record of bulk carriers.

One estimate is that a large bulk carrier has been lost every month since 1971. That is an incredible figure. More than 2,000 lives have been lost. As my right hon. Friend the Member for Jarrow said, if such an accident happened at Heathrow, Gatwick, Stansted or one of our regional airports, there would be an outcry. The Government would be brought to book at the Dispatch Box day after day until an answer was found. Yet the loss of one bulk carrier a month is regarded as something that we can pass over relatively quickly.

Mr. Frank Cook: Many are lost without trace.

Mr. Allen: As my hon. Friend says, many bulk carriers have disappeared without trace. Last year, six bulk carriers and 84 lives were lost. Some 118 bulk carriers have been lost in the past six years, with 587 lives lost. We can rattle off statistics, but what they prove is that life is cheap at sea. I could give many more examples, but I am keen to move on so that the Minister has time to reply.

We need to analyse what happened to the Derbyshire and we need to ensure that the wreck is thoroughly examined. In addition, there is the wider question of the British merchant fleet, which is now in a parlous state. We are about to lose critical mass unless we ensure that we produce ships that are absolutely safe and of very high quality. If we do not, we shall not be able to compete with the Filipino crews and the foreign-registered vessels. It is essential that we recapture our reputation for high quality and high safety. That will be to the benefit of seafarers, masters and ship owners in this country, as well as to the benefit of the invisible earnings from ship broking and insurance about which we hear so much.

Mr. Winston Churchill (Davyhulme): Will the hon. Gentleman give way?

Mr. Allen: No. I hope that the hon. Gentleman will allow me to press on, because I must give the Minister some time. I hope that the hon. Gentleman will forgive me.

The figures that I have given are for the years after the regulations were tightened and after the International Maritime Organisation increased its efforts to ensure that ships were safer. The figures for the years before the loss of the Derbyshire are probably a lot worse than those that I have given today.

It is a scandal that the dependants of the seafarers who died were not on the list of the named parties. It was only after NUMAST—the National Union of Marine, Aviation and Shipping Transport Officers—made an official application to the wreck commissioner that the families were finally able to contribute to the proceedings. Even then, the cost of representation for families and dependants had to be met by the two UK maritime trade unions, despite their substantial contribution to the investigation and despite the fact that solving the mystery of the MV Derbyshire was clearly in the public interest. Why was representation funded from public sources for

those associated with the King's Cross fire, the Piper Alpha disaster and the Clapham rail crash, but not for those involved in the tragedy of the MV Derbyshire?

Colleagues on both sides of the House have pointed out the weaknesses of the assorted investigations that have taken place since the tragedy. I will not list them again. It took an expedition organised by the MV Derbyshire Family Association, with funding from the International Transport Workers Federation, to find the wreck at a depth of 4,000 m. The expedition used the company that found the Titanic and the Bismarck. There are almost echoes of a tragic film script in going to such lengths to try to get to the truth.

Last year, Lord Donaldson reported on structural reliability. He said that it was a "realistic possibility" that design faults had led to a fracture at bulkhead 65—the very point made by my right hon. Friend the Member for Jarrow. We now know that a further expedition will visit the site later this month as reconnaissance, and that a fuller investigation will take place next year.

One or two colleagues referred to insurance. Insurance practices should deter poor maintenance of ships by, for example, penalising builders or owners for malpractice. I hope that the Minister will make it clear what further steps to tackle poor standards he will urge, in conjunction with responsible ship owners and insurance companies, at European Union and International Labour Organisation level.

The vessels were built by the private owners of Swan Hunter, but the liability is consequent upon Government and Lloyd's. If the Derbyshire families make a breakthrough and the Government and Lloyd's become liable, how will that affect the dozens—indeed, hundreds—of bulk carrier losses since 1971? That may provide a clue to why the Government have dodged and edged and not been clear, open and honest about what happened to the Derbyshire. When big money is at stake, it seems that lives are cheap, but insurance is expensive.

Finally, I should like to ask the Minister a number of questions. I hope that he will answer them today. If he cannot, perhaps he will do us the courtesy of writing to hon. Members. Why does the Minister continue to refuse access to the remaining documents held by his Department relating to the Derbyshire when there should have been full disclosure of the documents for the Government inquiries in 1987 and 1988? Lord Donaldson was given access to those documents, but the MV Derbyshire families were refused. Approved drawings of the construction of frame 65 would be crucial in any normal legal proceedings. Why has the Department of Transport never insisted on such plans being produced? Did they go missing from the original source, as my hon. Friend the Member for Stockton, North suggested?

The Department of Transport claimed that the 1985 draft report into the loss became the bland 1986 version in the light of comments received and further information that came to light. Why will the Department not reveal the nature of that information and those comments? The MV Derbyshire Family Association released all the information that it has on the case, including evidence recovered from the wreck.

Why were there no investigations of the shipyard that built the MV Derbyshire and her sister ships—in respect of quality control, material and standards of workmanship—to determine whether she was sound when launched? If they really believed that the Derbyshire was structurally sound, why did the builders finally warn owners of similar vessels of the dangers? Why did they warn the Liberian flag state of the potential failure of the World Pathfinder—a renamed sister ship—at frame 65?

I emphasise the concerns of hon. Members on both sides of the House that representatives of the families should be involved in any further investigations. They are not from Lloyd's or the shipowners. They will not be strong-arming officers in the Department of Transport. They need to be involved for fundamental emotional reasons. It is important for them to find out the truth, not to screw compensation or insurance payments out of the Government.

I hope that the Government will listen carefully to the cogent, eloquent and experienced voices that have been raised on both sides of the House. Although I have a number of further queries for the Minister, I shall not take up any more time. We need to hear from him, as do the MV Derbyshire families. He can rest assured that, weak as we are in holding Government to account, if we fail to get an adequate response hon. Members who are here today will continue to raise the matter in the House until our concerns are satisfied.

10.42 am

The Minister for Transport in London (Mr. Steve Norris): I congratulate the right hon. Member for Jarrow (Mr. Dixon) on his recent elevation to the Privy Council, which has caused great pleasure among hon. Members on both sides of the House, and on securing this morning's important debate. In the 16 minutes left to me, I may not be able to do justice to all the points that have been made. That is a matter of great regret and deep frustration, as a number of serious points have been made and some important matters need to be put on the record on behalf of my right hon. Friend the Secretary of State for Transport and my noble Friend Lord Goschen, the Minister for Aviation and Shipping.

The right hon. Gentleman spoke about the Government revealing the truth about the Derbyshire as if the Government were aware of the truth, but did not want it to be known and were unwilling to allow it to be disseminated. The hon. Member for Nottingham, North (Mr. Allen) suggested that it was part of the Government's intention to conceal liabilities that might otherwise accrue to their fat-cat friends in Lloyd's. I completely reject any such assertion.

My right hon. Friend the Secretary of State for Transport and his predecessors who have dealt with the matter over the years entirely share the ambition of right hon. and hon. Members to determine, if at all possible, the reasons for the loss of the Derbyshire, not least so that lives may be saved in future.

Reference has been made to the number of bulk carrier accidents. Such accidents are a tragic reality. I should make it quite clear at the outset that my right hon. Friend the Secretary of State, my noble Friend the Minister for Aviation and Shipping and all those Ministers who have dealt with the matter, which includes me, share a sense of urgency and a strong ambition that the matter should be exposed as much as possible.

I am extremely mindful of the concerns of the MV Derbyshire Family Association, to whom my right hon. Friend and I wish to express our heartfelt and deepest sympathy. We know that a wider public share those

[Mr. Steve Norris]

concerns. I pay tribute to the long-running campaign of the DFA. Its perseverance has ensured that investigations into the ship's loss have progressed this far and I commend it heartily for that.

Let me deal first with the length of time that it has taken to mount an expedition, because the Government have been accused of a reluctance to carry out a detailed investigation. I do not agree with that assertion. At the time of the loss, in the absence of any material evidence about the cause, it was thought that a formal investigation would serve no useful purpose. The Department commissioned extensive research into the structural design of the ship and investigated reports of defects in sister ships. Those reports have been published.

There is a clear rationale for the difference between the draft report and the final report. The hon. Member for Nottingham, North invited me to write to him. In view of the concerns that hon. Members have expressed, I shall take up that invitation, but I am quite clear that no sinister implication can be drawn from the fact that the interim and final reports reached differing conclusions.

Following the loss of the Kowloon Bridge in 1986, a formal investigation was set up into the earlier loss. That formal investigation—an independent, wide-ranging public inquiry—reported in January 1989 and found that the evidence available supported no firmer conclusion than, as my hon. Friend the Member for Southport (Mr. Banks) said, the Derbyshire was probably overwhelmed by the forces of nature in Typhoon Orchid. No doubt that comment will be familiar to the right hon. Member for Jarrow.

In 1990, at the request of the then Secretary of State, two items of new evidence were considered. The first was the research paper by Professor Bishop that attempted to demonstrate that the Derbyshire fractured at frame 65, and the second was underwater film of the Kowloon Bridge, which purportedly revealed a fracture at frame 65. Both those items were examined by the marine accident investigation branch.

In March 1991, the chief inspector of marine accidents advised the Secretary of State that the material did not constitute new and important evidence and did not warrant the reopening of the formal investigation, but that position was transformed by the success of the International Transport Workers Federation expedition in 1994, which located the wreck. That gave a new impetus to the real possibility of discovering the cause of the loss of the vessel.

In March 1995, therefore, the then Secretary of State for Transport, my right hon. Friend the Minister without Portfolio, appointed Lord Donaldson to carry out an independent assessment with the following terms of reference: first, to assess what further work would be needed to learn more about and, if possible, make a judgment about the cause of the loss of the Derbyshire; secondly, in respect of each option for further work, to assess the probability that the cause can be determined with reasonable confidence—if it cannot, we shall have to consider whether it is a prudent exercise to undertake; thirdly, to assess the costs likely to be incurred for each option; and, fourthly, to investigate what benefit to ship safety would be secured if the cause of the loss of the Derbyshire, or better understanding of it, were established and whether that would justify the likely costs involved.

In his report, Lord Donaldson made a clear recommendation in favour of

"a second, extended and last examination of the wreck".

He also concluded that although such an examination might cost about £2 million, it would be fully justified in the light of the potential benefits to ship safety. Importantly, he pointed out that the Department cannot be criticised for not having mounted a return expedition, bearing in mind

"the cost and slim chances of success".

As the House knows, we accepted Lord Donaldson's recommendation to carry out a further re-examination, and in view of the potential wider benefits to ship safety, the European Commission is sharing the cost with us. We announced on 3 June that the return expedition would be carried out in two phases. The first phase, which will be an initial and more detailed photographic survey than was possible during the 1994 ITWF expedition, is expected to take place later this month, and the second phase, the main expedition, will be carried out in early 1997. Oceaneering Technologies has been appointed to carry out the first phase. Its bid was the best technically of those we received, and it will use an advanced remote-operated vehicle.

Officers from the Admiralty salvage office of the Ministry of Defence have been appointed to co-ordinate and manage the expedition, acting on the advice of the independent technical assessors. I have every confidence in their ability. Dr. Remo Torchio, the EU assessor, Professor Douglas Faulkner and Robin Williams, the United Kingdom assessors, Morgyn Davies and James Ward from the MOD and salvage officers and project managers will be on board the phase 1 survey vessel. I emphasise that officials of the Department of Transport, the Marine Safety Agency and the marine accident investigation branch will not be on board. We have an unique opportunity to make a truly scientific study of the wreckage site and especially to search for and possibly find the ship's stern.

I am aware that, since our announcement to undertake the return expedition, the DFA has campaigned for full—as it puts it—"hands on" involvement and claims not to have been consulted about the arrangements for the return expeditions. It also claims that the expedition cannot be objective and impartial if it is not represented on it. I must differ with those assertions.

We welcome the DFA's involvement and participation in planning the return. It has been invited by the assessors to comment and put its views on a number of occasions. For instance, at the Royal Institute of Naval Architects colloquium on 15 March, to which my hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) referred, the assessors invited those present, including the chairman of the DFA, to submit their views. The assessors have held discussions with the DFA's advisers and have continued to stress that they welcome comments and contributions from any party on the conduct of the return expeditions. I assure the House that the technical assessors have been, and remain, happy to discuss matters with the DFA and other interested parties at any time.

We have given sympathetic consideration to the request from the DFA that it should be represented on or have some control over the return to the ship, but have concluded that that would not be appropriate. The association is one of a number of parties with an interest in the outcome of the

return expedition. This is the most important point that I want to get across: for one of the parties but not others, such as British Shipbuilders, *Lloyd's Register of Shipping* or Bibby's, to be represented on the return expedition could lead to suggestions that the findings lacked balance or objectivity and should be challenged.

The hon. Member for Nottingham, North said that if, for example, Lloyd's was found to be at fault in some way, its liabilities might be great. He said that that is why the Department has in some mysterious way colluded with Lloyd's to hide information. That is nonsense. Much more important, the hon. Gentleman must accept that, on that basis, if the DFA were allowed to attend on the return but not the other parties involved, such as British Shipbuilders, *Lloyd's Register* and Bibby's, the balance and the objectivity of the exercise would genuinely be compromised.

It has been suggested that we allow a DFA observer on the return expedition. I believe that it is in its best interests not to be on board the return expeditions. In order to satisfy a formal investigation and/or to mount any international safety initiatives, it is absolutely essential that the results of the evidence gathered are seen as impartial, objective and thorough. To have the DFA represented would lead to challenges that the return expedition was partial, lacked objectivity and was undertaken with a specific purpose in mind. The same objections would of course apply to sending a nominated representatives.

Mr. Loyden *rose—*

Mr. Norris: I shall give way to the hon. Gentleman, who has prosecuted this case with assiduity. I hope that he will be brief.

Mr. Loyden: Have any of the organisations that will be on the return voyage to the wreck voiced any objection to the DFA being part of the team?

Mr. Norris: My understanding is that British Shipbuilders has indeed indicated its concern at allowing a DFA representative on board. I do not want to offer the DFA technical or legal advice, but I really think that those who clamour for a DFA representative on the ship should be aware of the extent to which the integrity of the expedition could be questioned if a representative of the DFA were allowed on the vessel but other interested parties were not. If that were allowed, the implications for the families of those on the Derbyshire—the DFA itself—would be very serious. The Department has no interest whatever in allowing information to be concealed from the DFA or anyone else. The manner in which the call for attendance has been made is simply misguided, and for very important reasons.

Mr. Frank Cook: Is it not a basic tenet of this country that for justice to be done it must be seen to be done? Would it not therefore make sense to have representatives of all interested parties on the vessel so that they can see that their interests are being fully served? If none of them is allowed on board, they will not know whether they are or not.

Mr. Norris: It is clear that there are only two possibilities. One is that none of the representatives be allowed to be included, and the other is that all be allowed. I do not want to speculate on that because I do not have time to do so and it would not be appropriate. There is no question whatever about the integrity of the independent assessors, or about the integrity or impartiality of the European Union assessor. There is no question whatever of those assessors being compromised by the presence on the vessel of officials of the Department of Transport or the MAIB.

In such circumstances, attendance of a representative of the DFA, unaccompanied by representatives of all other parties who may have a substantial and direct interest in the investigation's outcome, would be prejudicial to the prospects of the DFA and its interests. If the hon. Member for Stockton, North (Mr. Cook) wants to pursue the notion that, somehow, all parties should be represented, I am sure that he will do so. I stress that the representation is in the interests of all concerned.

There have also been calls for media representation and direct transmission equipment on board. I assure the House that all interested parties will be given access to the raw data that are retrieved, but direct satellite links or other media involvement would be wholly inappropriate. The media will not be represented on phase 1. The expedition will simply be concerned with gathering photographic evidence. A final decision will be taken nearer the time on whether the media will be included in phase 2,

In the minute that remains, I should make it quite clear that my right hon. Friend the Secretary of State, his predecessor, my right hon. Friend the Member for Peterborough (Dr. Mawhinney), who I know took a great personal interest in the matter and whose decision it was to call on Lord Donaldson to examine the prospects of this further inquiry, and my noble Friend Lord Goschen have all made it absolutely clear that their interest, like mine, is in ensuring that, if there is anything to be learned from the wreck of the Derbyshire, it is learned in the interests of those who carry out their business in the great waters of the oceans and whose lives we all have a duty to protect.

I know that we will never be able to satisfy all those who feel aggrieved about the circumstances of past investigations.

The Department believes that it is now time to move forward, and we can do that only if all parties co-operate and share their knowledge and expertise, to establish what lessons can be learned in relation to the future safety of bulk carriers. I know that the people in the Department, including Mr. Frank Wall, whose correspondence has been mentioned, have at all times acted in a conscientious and concerned way, which is a great credit to their objectivity and to their tenacity in attempting to uphold the highest possible standards of discovery and disclosure.

Mr. Deputy Speaker: Order.

Social Work

11 am

Mr. Andrew Rowe (Mid–Kent): It is 25 years since the Seebohm report revolutionised the provision of social work and social services in England, and slightly longer since the Kilbrandon report did the same in Scotland. I do not want to suggest at any stage during the debate that we should arrive at the position that Lord Kilbrandon once boldly described by saying that, if we went on as we were, we would soon need a professional qualification to help an old woman across the road. None the less, this is an apposite time for a debate on social work.

When we talk about social work, who or what do we mean? First, we are talking about the fastest growing area of local government spending. Between 1990-91 and 1996-97, there has been a 67 per cent. increase in real terms; in the 25 years since Seebohm, there has been a tenfold increase in real terms. Expenditure this year in England was £7.3 billion—or £9.2 billion if the expenditure that falls to the Department of Social Security is included, as it should be.

Social work involves a huge work force. In September 1995, there were 228,000 people in the United Kingdom armed services. At the same time, there were 238,000 full-time equivalents in local authority social services in England alone. Of those, about 53,000 are qualified social workers. That is a slightly complex figure, and I am not sure that I shall not contradict it later in my speech; finding my way through some of the figures has been quite difficult.

If we include all the cleaners, caterers and so on who work for social services departments, the work force amounts to almost 1 million people, yet we seldom discuss those people in the House. When there are scandals, the media love to hunt for those responsible, in the process further damaging the public image of social workers, yet social workers and social work budgets are charged with undertaking, on behalf of us all, responsibilities that we as citizens find too painful, too difficult or too dangerous to undertake for ourselves. They deserve a debate of their own in this place.

I wonder how many hon. Members are currently sustaining elderly or damaged relatives. How many of us have already turned, or will shortly turn, to social services to help us with that task? Social work is not a remote esoteric service that few of us will encounter personally. It touches most families in the land sooner or later, and it touches them at deeply sensitive points. Families fragment faster in this country than they do almost anywhere else in Europe—800,000 children have no contact with their natural fathers, the number of girls under 16 who conceive children grows every year, and 67,000 young people are in the care of local authorities, either directly or through fostering. I shall say more about those young people later.

What sort of people are social workers? The popular view, fuelled by throwaway jibes in the media, is that they are young dolly birds fresh from college with no experience of life, who are easily thrown by encounters with practical mothers of six whose chief problems are too small a house or too small an income. Like most stereotypes, that image is wrong. Two thirds of social workers were aged 30 or more when they started their social work training, and 50 per cent. were over 35. Many already have qualifications in other fields.

If I list some of what social workers need to know, it will be seen both how complex their job is, and how important training for it is. Social workers are supposed to know about new legislation. Since 1979—I say this with some guilt—more than 50 Acts of Parliament have laid additional responsibilities on social workers. They are also supposed to know about new service arrangements, relevant research findings, how society is organised, the needs of different groups of people, the symptoms and treatment of mental health problems, including those resulting from alcohol or drugs, and about criminality and anti-social behaviour. They are also expected to know about the benefits system—we in the House know how often we alter that—as well as how to assess the strengths and weaknesses of families and other relevant networks, and how to work with families and carers in partnership.

What is more, social workers need to know how to protect themselves against both violence—they are more vulnerable to violence and assault even than the police—and stress. One of the scandals of the present organisation of social services departments is how few of them have in place the kind of support for stressed colleagues that is now commonplace in the fire services and in the police. If ever there were a case of "Physician, heal thyself," this must be it.

The profession is unlike most others in that women outnumber men—by 2:1 as managers, by 3:1 as social workers and by 4:1 as residential workers. Almost all home care staff are women. But in the higher reaches of management, men still outnumber women. That is partly, but only partly, because 90 per cent. of the men, but only 51 per cent. of the women, are full-time workers. Moreover, 20 per cent. of staff have a child under 12 or an elderly relative to care for, which adds considerably to the stress. Black and Asian staff are prominent in the profession and, interestingly, tend to be better qualified than other staff. It is a scandal that almost half of them have experienced racism from fellow workers and social work management.

We are talking about an enormously complex and deeply sensitive task that takes workers into the very heart of the human condition. They are expected to control access to, and to ration on our behalf, the resources provided by the taxpayer—resources that are huge but still, by definition, inadequate. As the demands grow, they must refuse more often, and then accept the anger and despair of those to whom they deny help.

Social workers are daily exposed to situations that raise in them doubts and fears about their own lives and circumstances. How many people can confront a crumbling marriage or a disruptive child without asking questions about their own marriage or children? They must also give authoritative advice about entitlements and legal issues, and argue with professionals in other areas, such as the police, teachers, doctors and magistrates.

What is the training base on which social workers stand to do all that? I am afraid that it is pretty thin. Almost half of social services staff have no professional qualification at all, and the certificate of qualification in social work, which is held by 82 per cent. of professionally qualified staff, is only a two-year qualification. Peter Smallridge, Kent's director of social services, has pointed out that his staff are frequently involved in working with colleagues in Europe, although they are ineligible for employment in the EU because every other country in the EU has a three-year qualification.

My right hon. Friend the Secretary of State told the Association of Directors of Social Services how vital research and information is to effective service planning and delivery. He said:

"I regard it as essential to have a vigorous and well-targeted research base for social services".

Research methodology, as well as its application, requires skills that a crowded two-year basic training course is unlikely to impart effectively enough to meet my right hon. Friend's goal.

Secondly, care managers are key personnel in the assessment of care needs and the management of budgets and resources, as well as in ensuring the quality of service. I wonder whether we are doing enough to equip them for their increasingly demanding and technology-based role.

Thirdly, there is the added load on staff caused by the switch to user-led services. Citizens charters and the statutory recognition of carers have combined with the professional ethos of social work—which has always demanded that the client's wishes be taken fully into account—to raise user expectation and, rightly, to undermine the former tendency to prescribe solutions that the client meekly accepted. That puts further demands on staff at all levels, and it demands training.

Fourthly, there is the horrifying statistic that almost half of all social services staff have no professional qualification. This means that most staff in residential homes, for example—where many of the most difficult and demanding clients are to be found—provide service with little or no formal recognition of their expertise, or lack of it. Research has found that most of them want to acquire qualifications, but have the least information on training opportunities.

In passing, may I plead for the retention of NVQ level 1 as an invaluable doorway for ill-equipped school leavers into qualification? A similar dearth of qualification is to be found in home care workers. That must be addressed. By looking across the Chamber, I see that I have no need to say any more about the registration of home care workers. I understand the Government's reluctance to incur the expense of a third year of pre-qualifying training, but I urge my hon. Friend—whose reputation is deservedly growing year by year—to acknowledge the importance of upgrading the training of this key profession.

One possibility put forward by Peter Smallridge, among others, is a post-qualification year, supported by academic assessments of assignments on subjects such as multidisciplinary assessment or work-oriented research. That would help my hon. Friend to meet the objectives set by the Secretary of State.

There are three other issues that I wish to raise. First, we have an occupation that employs almost 1 million people in total and deals with the most damaged, difficult and threatening people in society, and there is no regulatory mechanism to govern it. There is nothing in place to stop a worker who has been sacked for bad practice in one authority instantly finding work in another. There are virtually no means of checking on someone's claims of either qualification or experience, and it is high time there were.

The idea of a general council has been in the air since I taught at Edinburgh university 30 years ago, and I believe it to be necessary. I should prefer it to look rather like the Michelin guide, listing what people have done and providing an indication of their qualifications—such as a rosette for having done a diploma in social work. A knife and fork for having achieved NVQ level 2 is perhaps a little further than we need to go, but the proposition that it should be a register of what people can do and the qualifications that they have achieved seems to fit in with the post-NVQ culture and to be a great deal more useful than merely a list, which can get rapidly out of date. In other words, it should be inclusive rather than exclusive. It should begin by listing those with qualifications, and move on to include the rest. But the idea that there is no mechanism for controlling the ethics or practice of social workers is dangerously bizarre.

The second issue is volunteers. Survey after survey has shown that how a service is delivered matters almost as much as what the service is. I ran, as I have told the House before, a day in Coventry called "Heirs to the Millennium", at which 750 people came together to talk about how we bring up, or fail to bring up, children. On that day, we heard a client with learning difficulties demand that social workers should not patronise her; they should neither prejudge on the basis of where she lives, nor brush her aside if she dares to challenge what they say. That complaint is frequently heard—that social workers are all very well when it comes to empathising, until someone questions what they have said, whereupon they become highly authoritarian and rather cross.

Children in local authority care tell us that the worst thing for them is when a worker fails to turn up as promised. Children in care are a particular worry. Again and again we learn of children, whose overriding need is for stability and continuing affection, getting a new worker—sometimes as often as every two or three weeks. It is a scandal that so many of the 67,000 children in our care suffer so much insecurity before leaving public care, very often into nothing satisfactory. This is where, pre-eminently, volunteers can help.

A volunteer who commits him or herself on a continuing basis can provide a depth and length of care that statutory departments can seldom attain. The same is true of residential homes for the elderly. If we want to reduce the abuse of vulnerable clients, there are few better mechanisms than a steady stream of volunteers passing in and out of residential establishments, building a trusting relationship with a client or two inside.

My local director has told me that one of his ambitions is to remove what he regards as the ghetto effect of putting up a notice saying that a home is run by Kent county council. He says that that is as effective as putting a moat around the home in cutting it off from the local community, who instantly feel that the home has nothing to do with them. I certainly endorse his ambition.

Similarly, volunteers can reduce the demand for service. Homestart, which supports vulnerable families on a long-term basis, can show clearly how it has been able to prevent families from breaking up and becoming a complete charge on public funds. Drop-in centres for people of different age groups are important. One of the things about which we in Coventry heard more than anything else was that young people need somewhere to go to meet their friends, rather than simply walking the streets, prey to every possible opportunity for causing trouble.

Neutral meeting places where divorced fathers can take their children are another crying need. Many fathers who get down for the day find themselves at an endless

[Mr. Andrew Rowe]

succession of McDonald's and cafés, because there is nowhere to go. What they need more than anything else is quiet time with their children, and drop-in centres staffed by sensitive and welcoming volunteers are proving wonderfully successful in the small number of places where they operate.

In social work, the opportunities for volunteering are endless. Professional social workers need to learn how to stimulate volunteer help, work confidently with it and sustain, with their professionalism, the volunteers. It used to be thought a threat to the professional if volunteers muscled in on the act but, increasingly, people realise that such work is an extension of the arm of the professional.

Thirdly, it would be wrong in a debate on this subject to avoid scandal and malpractice. While it is true that many of the shocking cases that have recently come to light arose before the latest reorganisations, the danger will always be with us. Vulnerable people attract abusers, and there will always be abuse in local authority homes, private homes and elsewhere. What matters is that effective mechanisms should be in place to discover abuse promptly and root it out.

Some vulnerable people, especially children, develop strategies for survival that depend on manipulating those who work with them. Teachers, social workers, doctors and others are increasingly vulnerable to false claims made against them, or to being seduced into inappropriate behaviour. The balance is never going to be an easy one to strike. Evidence suggests that, more often than not, children should be believed, but it also suggests that children will talk to professionals of any kind less readily than to relatives or friends.

Social work cannot and should not be expected to be a ministry of happiness or to have a goal of eliminating all the sources of unhappiness and distress that social workers come across. When things go wrong, we have a duty to respond in a measured rather than a convulsive way. Social workers also have a duty to keep their heads. One of the more depressing features of the correspondence columns in *Community Care* is how often students choose research projects based on the latest scandal. Such prurient interest simply feeds back into the loop, fuelling still further the eagerness of the press and others to extract the maximum stimulation from other people's tragedies while clobbering social work along the way.

The evidence about morale among social workers is confusing. The National Institute of Social Work survey suggested that most social workers enjoy what they do and a surprisingly high percentage claim that they would go on doing it even if they were rich enough not to have to work. The survey carried out by *Professional Social Work*, however, claimed that more than one third would not have joined the profession if they had known what it was like, and that 66 per cent. of those who work in the health service want to leave. I cannot possibly judge between the two surveys, but my hon. Friend the Minister needs to know that signs of strain are developing, and he should take steps to head it off.

Finally, social work is indispensable. We depend on it, but we must ask ourselves two basic questions: why do we depend on it and should we depend on it so much? One of the key messages of Coventry was that each one of us should remember our responsibility for our fellow citizens. The huge and rapid growth in social work is partly a reflection of the fragmentation of families, partly an effect of longevity and partly the result of an increase in public expectations that someone somewhere will pick up our pieces for us. It is also a reflection of the readiness of each one of us to shuffle off on to professionals responsibilities that, if we stopped to think, we could often take on. I am glad to have had the chance to thank the staff who take on those responsibilities for me, but there is much to be done if we are to raise their standards and self-esteem proportionate to the expectations we have of them.

11.24 am

Mr. David Hinchliffe (Wakefield): I am grateful to be able to participate in this debate. First, I must pay tribute to the hon. Member for Mid-Kent (Mr. Rowe) for securing it and for his championing of the social work cause in this place—he has certainly done so during the nine years that I have been here. I also pay tribute to his previous role as the chair of the all-party panel on personal social services. The work that he did with that group for many years was widely appreciated on both sides of the House and throughout social work.

The hon. Gentleman's speech was a little like mine will be—a case of "All Our Yesterdays". He remarked on the length of time that had elapsed since the Seebohm report, which revolutionised personal social services, which reminded me that I trained around the time of the Seebohm changes. I began training in social work in a specialist field and, by the time I had qualified, generic social work was required—people who could cover every area of social work specialisms.

The debate is timely. I am more conscious than ever that social workers are perhaps in a no-win situation. I get angry in this Chamber when I hear some of the comments about social workers, which are based on a profound ignorance—comments from Opposition as well as Conservative Members. I hope that one of the issues that will arise in the debate is how we can better inform some of our colleagues about the skills and tasks mentioned in the hon. Gentleman's introductory speech. I know from bitter experience that social workers are in a no-win situation. Whatever one does in an individual case, one is taking the wrong decision in someone's eyes. I have been lambasted on many occasions, physically assaulted and attacked in the media for doing my job in local authority social work.

I am conscious that social workers have to take decisions daily, particularly on child protection, and that, in the case of individual children at risk, someone will think that the decision is profoundly wrong and will attack the social worker. It concerns me that there is insufficient awareness, particularly in the House, among the Government and the Opposition, of the problems that are faced when one is coming to a proper decision, particularly in a child protection case.

We should all be aware of the way in which changes in community care have placed local authority social workers in an increasingly difficult situation. The court ruling last week, for example, reminded us of the role that social workers play within local authorities as gatekeepers for scarce resources. They often have to tell people, "Yes, we recognise your needs, but sadly the resources are not available to meet those requirements."

I appreciate this brief chance to consider some of the issues that concern people in various areas of social work, which is under attack as never before from elements

within the Government. I exempt the hon. Member for Mid–Kent and the Minister, but I am sure that they will accept that some of their colleagues, as well as some highly irresponsible people in the media and some people in my party, are ignorant as to what social work is about and what tasks social workers face daily.

I was struck by an article in February in *Professional Social Work*—a magazine to which the hon. Member for Mid–Kent referred—which is the magazine of the British Association of Social Workers. The article mentioned the campaign against social workers at a national level, saying:

"This campaign is aimed not at the power of social workers as a professional group—which is minimal—but at their symbolic position as negotiators of citizenship for the disenfranchised.

If it succeeds, social work will become a technical activity in which tasks are separated from creative helping, and ethics are seen as irrelevant."

That sums up many of the issues pointed out by the hon. Gentleman and many of the problems faced by social workers in defending the work they do now.

One of the major problems faced by social work throughout its history is that its very existence is a permanent reminder to politicians of their failure to deal with a range of social and political issues. At least 50 per cent. of the individual cases with which I had to deal during my time in social work, were related to or caused by material problems and not by personal relationships within the family.

I am conscious of the fact that, in recent times, the gap between the rich and the poor has widened. That is certainly the case in my constituency, and I suspect that it is the same elsewhere. The role of social work has been concerned more and more with dealing with those who have missed out on material wealth and a decent standard of living. Low incomes, unemployment and bad housing are often the basic reasons for social worker involvement. Other related factors may have led to referrals, but those are the root causes resulting in the involvement of, particularly, local authority social workers and organisations such as the National Society for the Prevention of Cruelty to Children.

To some extent, attacks on social work and social workers are often a camouflage for a failure to address those material issues. Those who attack social workers are often the very people who are not prepared to get their hands dirty by looking at the reasons why social workers are involved with people facing difficulties in their material circumstances. I am not just attacking the Government when I say that. My party needs to reflect on one or two of its recent announcements, which betray a naivety about the root causes of some of our social problems.

The announcement about curfew orders nicely sums up the problem that I am illustrating. Superficially, the idea may appear attractive and many people might say, "Yes, we need that." However, beyond the soundbite politics, we need to look in detail at why such an idea might be suggested. It does not deal with the reason why we have a significant number of out-of-control youngsters roaming the streets or why those youngsters are in certain parts of our constituencies. It does not deal with wholesale family and community breakdown and the way in which we have ghettoised the poor in recent times. My party must look in greater detail at some of the issues when it comes to office, because one or two of us will not be happy with superficial suggestions about sweeping the streets and getting people back into their houses. We need to look at what is going on in those houses and what is going on between families and communities. One or two people are not thinking as deeply about that as they should be.

I am worried by the fact that some highly effective social work is under attack from the Home Office. The hon. Member for Mid–Kent did not mention the probation and after-care service. I accept that we are talking to a Minister from the Department of Health who is responsible for personal social services, but social work is an issue that covers other Departments. The role of probation officers now is worthy of examination. Of all the social work activities in recent years, the probation and after-care service has shone through as an example of success. It has diverted people away from offending and dealt with the rehabilitation of offenders.

I suspect that the Minister is as uneasy as I am about the Government's attack on probation officers and the idea that we should introduce some sort of militaristic attitude that will toughen up the service and offer a different response to offenders. I believe that we are ignoring the tremendous achievements that have been made in probation work recently, and I hope that the Minister will press his colleagues in the Home Office to review again their thinking about the future of the probation and after-care service.

I quoted from *Professional Social Work*, the magazine of the British Association of Social Workers. The article refers to social work becoming a technical activity. We should consider that issue. I am conscious of the fact that a deliberate consequence of recent policy is that we are moving away from what I saw as the basic job of befriending, counselling and assisting people, and towards the technical and administrative side of Government legislation. We need to look at what that means for the future role of social work and the training of social workers.

I was fortunate to be involved with the Standing Committee that dealt with the Children Act 1989. I remember vividly the feeling across parties that, with that piece of legislation, we had achieved a major breakthrough for the future well-being of children. I am proud to have been involved in that, and I pay tribute to all hon. Members on both sides of the House who were also involved.

My concern is that the implementation of that legislation has concentrated specifically on the technical aspects, a sort of legalism about whether one can intervene in a child protection case. That concentration has been largely at the expense of what I thought was the philosophy of the legislation—prevention. I believe that the real philosophy behind that legislation was a reminder that the real work with children and young people should be preventive, and that crisis intervention is only one small part of what we expect to see. I am worried that we are concentrating too much on that technical activity and that a whole raft of policies involved with prevention are being forgotten. I do not blame local authorities for that. I appreciate that they have to deal with crisis intervention in a way that perhaps none of us could have anticipated a few years ago.

The other piece of legislation that has gone through the House during my time here is the National Health Service and Community Care Act 1990. The hon. Member for

[Mr. David Hinchliffe]

Mid–Kent talked about the increased resources coming into local authority social work. I think that he made the point that many of those resources relate to the transfer of social security functions to local authorities. That legislation brought about the assessment process and the care management process. I was talking only yesterday to someone in charge of a social work course in a university in West Yorkshire. He said that we should be looking at producing accountants from social work courses, because the job that they have to do in care management and managing scarce resources at local authority level requires technical skills that they are not being offered by current social work training.

The recent supervised discharge order—the legislation that went through the House last year—concentrates on a narrow, technical area of mental health. I am worried that many of the wider issues in mental health, which relate to how people function in the community, particularly those coming out of psychiatric hospitals, are not being looked at. The legislation concentrates on one aspect—the supervision of people in the community who have a serious mental disorder.

That is the media agenda. The media agenda for community care is that it has failed. It has not failed. Under successive Governments, it has been a tremendous success, but we are seeing a concentration on a small number of tragic cases, and social workers get the blame. Sadly, we are responding to that media agenda by introducing legislation that marginalises the role of social workers into one small technical element. I am not doubting the importance of that technical element, but it is at the expense of a range of other important issues.

I endorse entirely the points made by the hon. Member for Mid-Kent on NVQs and the training of people who are not academic highfliers. People such as home carers are fundamental to social work. I want to concentrate on the training of social work professionals who attain social work qualifications, but I do not doubt that we need to consider carefully the hon. Gentleman's points about NVQs and the basic training of people who do crucial jobs, such as home care and caring, perhaps in residential social work, at a basic care rather than a managerial level.

We must address the issue of the length of professional social work courses. We are way behind other European countries in having only a two-year course. I am conscious that three years' training is squashed into two, as a direct result of which we lose out on quality. There is immense concern in professional social work about the lack of degree status for qualified social workers.

As the hon. Gentleman said, the complexity of modern social work has increased tremendously. He said that there have been 50 Acts of Parliament since 1979 which have changed the role of social workers. Sadly, their training does not reflect those tremendous changes, which he rightly identified.

I am also concerned about the lack of training for residential social workers. It is to our cost that we have allowed a deterioration in the number of people being trained for residential social work. The inquiries currently under way as a result of events in Clwyd and elsewhere in Britain will no doubt pinpoint the fact that the lack of proper training for residential social workers is a significant problem.

I also welcome the hon. Gentleman's comments on the current arrangements for practice placements for those undertaking professional training. Local authorities face huge difficulties in responding to the requirements of the Central Council for Education and Training in Social Work for practice placements for people on professional social work courses.

I understand that the revenue support grant makes some assumption of funding for practice placements, but the message from local authorities, which believe in proper social work training, is that such funding goes nowhere near provision of the necessary resources.

I endorse the point made about the general social services council. We come back time and again on issue after issue to the need for a professional register of people involved in social work. I hope that the Minister will be able to say that progress is being made on that. There is cross-party acceptance of the need for such a model. People who see damage done to people through bad practice in social work arising from the lack of a professional register are a little impatient.

Hospital social work increasingly gives rise to all sorts of problems as a result of the relationship between local authorities and health care. I should have liked to say more on that, but I am conscious that time is limited. That area has not been sufficiently discussed in the context of recent changes in community care.

Education social work has not been mentioned and I put in a plea for more consideration to be given to the valuable role of education social workers, in assisting young people to make the best of their education. The announcement last week of more selection will result in more people being written off. I was one of those who were written off at the age of 11, so I feel strongly on that point. People who drop out of the system need attention, and education social work has a role to play in that.

Finally, I make one plea which I hope will be taken up on both sides of the House as a result of today's debate. There is complete and utter shameful ignorance in this place of the role of social work. I commend the hon. Member for Mid-Kent for flying the flag for social work for many years. We should press the Industry and Parliament Trust to consider placing Members of Parliament from both sides of the House in various types of social work, just as it places them in business. Labour Members need that as much as Conservative Members—increasingly, with new Labour. I hope that we shall consider that suggestion seriously. There are hon. Members who do not have a clue about what is going on in social work, and who should have the chance to learn before they open their mouths in the Chamber.

11.44 am

Mr. John Gunnell (Morley and Leeds, South): I join my hon. Friend the Member for Wakefield (Mr. Hinchliffe) in paying tribute to the hon. Member for Mid–Kent (Mr. Rowe). The only two Conservative Members of Parliament who have taken an active interest in social services since I have been a Member of the House, which I recognise is rather a brief time, come, I believe, from Kent.

I recognise the value of the work done by the hon. Member for Mid-Kent over the years. My hon. Friend the Member for Wakefield was a principal social worker in

the area that I repre[illegible] so I know that he has handled difficult case work, and he brings his active experience to the House.

It is clear from today's debate—Labour Members might have their minds on a further meeting that is due to take place shortly—that relatively few Members take an active interest in the issue that we are discussing. That is a pity, but it is important that we should continue to act together. On most of the issues that we shall talk about, there is a genuine cross-party view.

It is important that we make progress on those issues. It is notable that, in perhaps the most important domestic crises to be brought to the House in recent days—the abuse in north Wales, which is now the subject of an inquiry, to which I shall return, and the Dunblane massacre—those involved might not have committed such atrocities had appropriate action been taken earlier.

We can learn things from those tragedies, which will be extremely important to the way in which we think in future. This is not an area where we need deregulation; we need increased regulation. My hon. Friend the Member for Wakefield attempted to introduce the idea of regulation in domiciliary care. It is important that people who go into other people's homes should have a measure of trust, and that their credentials should have been examined.

The process of vetting has been raised by the Dunblane massacre and events in Clwyd and will clearly be studied by Sir William Utting in the report that he is preparing for the House. I hope that that will result in recommendations on which we can act in order to safeguard the clients of social workers, those in residential care and those whose homes are visited by people as agents of social services or the community performing acts related to community care. It is important that such people are vetted, that the vetting procedures continue, that they take place rather more rapidly than is often the case today, and that we ensure that there are proper safeguards for the public in the way in which the services are organised.

The hon. Member for Mid-Kent and my hon. Friend the Member for Wakefield raised many important points which I need not repeat. I have no professional experience in this area, but I have experience as chair of the social services committee in a major city. Anyone who is chair of a social services committee rapidly recognises the valuable work that social workers undertake, and, as the hon. Member for Mid-Kent said, the real danger in which they find themselves. I read that those dangers come more frequently from people under mental stress, which we must take into account when attempting to legislate to minimise the dangers for people who work with such clients. Although I recognise that it is impossible to make the job completely free from danger, it is possible to ensure that help is at hand most of the time when the work is being done.

People recognise the responsibility that social workers have, if for no other reason than that given by my hon. Friend the Member for Wakefield: when they make a mistake, it often has serious effects on people's lives, and if it becomes public knowledge, they receive regrettable media attention. It is important that the training of which the hon. Member for Mid-Kent spoke is put in place, because the decisions that social workers take are sensitive. He made it clear that there is a lack of training at present. It is important that we have a sensitive understanding of the job that has to be done. There is a narrow line in the decisions that social workers have to take in many cases—about an individual client, about removing a child from home. Those decisions are finely balanced, and must be treated with understanding. There must be the necessary protection for the social worker, but our primary job is to legislate for the protection of the clients.

There is serious evidence of a crisis of morale among social workers. The hon. Member for Mid-Kent mentioned two reports. In fact, both teach us aspects of the truth about social workers. Many people find it an extremely satisfying activity and would not exchange it for any other, and many people involve themselves in social work voluntarily because of the satisfaction that they get from the assistance that they can give. But a survey in *Professional Social Work*, in conjunction with the university of Central Lancashire, has some important lessons for us. It is a mistake to ignore its data, because they say something about social work as a profession today.

The survey tells us:

> "Half of the profession has considered leaving social work in the past three years—mostly because of stress, frustration at lack of resources and the feeling that they are not doing the job they were trained for."

That is a serious figure, which we should examine. We should look at the frequency of stress among social workers, because, having been close to them through my role in the city council and my continuing relationship with people who do that work in my constituency, I see the signs of stress. I hear of instances in which stress causes individuals to leave the profession or to have long periods of absence.

According to the survey, which covered a large number of social workers—1,391—some 49.8 per cent. had had stress problems in the previous year. Those problems may not have been serious, but the social workers were asked to outline the effects that that stress had on them. Some 15.6 per cent. suggested that they had physical illness as a result of stress in their work; others felt that they had sleep problems as a result.

Removing a child from home is a very hard decision to take. I have dealt with people who have had the job of deciding whether, because the child might be at risk, a baby has to be removed from the family at birth, and it is a difficult decision. People recognise the enormous emotional stress for the parents of that child, but they feel nevertheless that, for the protection of the child, it is necessary to remove it. But that is not a job that social workers do in a matter-of-fact way. It is a very difficult job, and one must retain some emotional detachment, but frequently the price of that is internal stress. Under the Mental Health Act 1983, it is the social worker who initially decides that a person needs to be taken into residential care for his or her protection. Those decisions involve emotion, and the price of detachment from those emotions is that one internalises them, which is likely to cause internal stress unless one can come to terms with it, and unless the rest of one's life is well regulated.

Importance has been attached to the role of a general social services council. We should look at the extra demands that are placed on social workers as a result of the current system. In a way, the purchaser-provider split

[Mr. John Gunnell]

is inimical to social services, because one is asking people to do a managerial job. My hon. Friend the Member for Wakefield spoke about that in technical terms, and assessment has a certain technical aspect to it. One is also asking social workers to build up a relationship with clients. It is often not possible to have a completely different person doing the assessment.

Accountancy might be handled at managerial level, but frequently social services managers are not completely absent from their field, and the relationships that are built up between social workers and clients mean that assessment cannot be completely detached from care. That is another distinction between the way in which social work was viewed in the past and the way in which a market forces element has been introduced in aspects of social work.

There is a need for a general social services council. The Minister and the all-party panel on personal social services have had frequent discussions about that, but it is important to move it forward. I hope that the Minister will be able to say that it is moving forward. According to the National Institute for Social Work, a general social services council is needed

"for the protection of the public, who are entitled to expect high standards from staff who impinge so closely on the quality of their lives; for the protection of employers, who need to know that those they employ meet those standards and are fit to practise; for the protection of staff themselves, who have a right to take a pride in their work and to expect the confidence of the public."

I have been talking about that to the Minister and to his predecessor during the whole of my time as a Member of the House. The matter has not been taken forward fast enough. It is time that we were able to offer social workers validation through registration. I look forward to hearing what the Minister has to say on that. Many social workers are concerned that the role of local authorities, which have an important role to play in social services, is decreasing. They are concerned about the extent to which that is seen as a positive move to transfer the work that local authorities do as a provider to private agencies.

It should be stressed that the bulk of social service provision, including community care, can be provided mainly under the aegis of local authorities. I do not see the local authority as a diminishing provider, and I hope that the Minister agrees, but there is uncertainty in the profession.

I am glad that we have been able to discuss the position of social workers, and I look forward to hearing from the Front Benches.

12 noon

Mr. Alan Milburn (Darlington): The hon. Member for Mid-Kent (Mr. Rowe) deserves all our thanks for initiating such a sensible, level-headed debate, which has been free of the crisis-ridden atmosphere that all too often dominates our discussions of social work issues.

As the hon. Gentleman pointed out, this is an appropriate time at which to discuss the subject—25 years after the creation of the modern social services department. As he also said, in that quarter of a century the nature of social work has changed dramatically. We now have an opportunity to take stock, to appraise the successes as well as the failures and to plan for the future.

Hon. Members on both sides of the House have drawn attention to the dramatic changes in social services in recent years. Social work has been in the front line of all those changes. Social workers, who are often vilified, provide invaluable services, usually for the most disadvantaged, and sometimes for the most disturbed and disruptive, members of the community. The overwhelming majority of social workers do a good job in very difficult circumstances. Their role requires them to make sensitive decisions within a tight legislative framework and limited budgets, and the legal context in which they operate is becoming ever more complex and demanding.

The ink had barely dried on the Local Authority Social Services Act 1970 before new legislation was being planned. We have had the Chronically Sick and Disabled Persons Act 1970, the National Health Service Act 1977, the Mental Health Act 1984, the Registered Homes Act 1984 and the National Health Service and Community Care Act 1990. All those Acts have changed the lives of many people, but they have also placed new and complex responsibilities on the shoulders of social services staff. In particular, they charge social workers with assessing need and commissioning services as well as delivering them.

While every area of social work has been affected by those changes, children's services have inevitably attracted the most public attention. The recent announcement by the Secretary of State for Health of an inquiry into organised child abuse is welcome, provided that it leads to urgent action. My hon. Friend the Member for Morley and Leeds, South (Mr. Gunnell) rightly referred to the need for appropriate safeguards for children in need. Events in Staffordshire some years ago, and the crimes of Frank Beck, demonstrated how abuse can be organised, while Cleveland and Orkney showed how difficult it is to investigate.

Inevitably, the pressures caused by a combination of new legislation and public opinion have led many social work staff to feel that they have moved too far from preventive work. There are no easy yardsticks in child care. As my hon. Friend the Member for Wakefield (Mr. Hinchliffe) pointed out, social workers tend to be damned if they do and damned if they don't, but those who err on the side of caution, and on the side of the child, must surely be in the right.

Unfortunately, life in front-line social work is pretty complex; it is rarely straightforward. Social workers perform statutory duties that have major ramifications for those they help. Although the thrust of the legislation requires them to involve users in decision making, in reality many people are referred to social workers against their will, and securing their co-operation requires considerable skill. Social workers often operate in the context of the courts, and are sometimes caught in a legal minefield.

The onus on staff undertaking assessment for care management, and on those involved in direct care provision, is particularly challenging: the role requires a high level of decision-making ability and personal competence. The social work task is more diverse than it has ever been. Potentially, social workers could be working with all age groups, from babies to the very elderly, in different ethnic communities and in the field and in day and residential settings, dealing with issues ranging from health care to juvenile justice and offering

services ranging from family support to legal intervention. The depth and breadth of the tasks with which they must cope is immense.

Perhaps it should come as no surprise that, as my hon. Friend the Member for Morley and Leeds, South pointed out, there is a crisis of morale and stress-related problems in social work. Social work has also been in the front line of the social and economic changes that have confronted Britain during the past two decades. People needing social work help tend to become ever more dependent, which makes the social worker's job ever more difficult. That, too, should come as no surprise. After all, during the past 17 years unemployment and crime have doubled, child poverty has trebled and the poorest in society have seen their real incomes fall. Arguably, our country is now more divided than at any point in this century, and all too often social work has picked up the tab for social division and economic failure.

That situation cannot continue. The country will cease to be able to afford its key public services if our economy is not modernised and our society reunited. Unless we have a society in which young people feel hope again and families once more form the building blocks for stronger communities, our country's caring services will simply be overwhelmed, and social work will be reduced to a firefighting exercise.

Central Government must take the lead. We need an approach that ensures that social work operates in the context of a new national effort to improve opportunity, spread prosperity and strengthen community. Social work needs to take place in an environment where a nationally led anti-poverty strategy seeks to tackle the unemployment, deprivation and sheer lack of hope that have come to dominate too many local communities. The time has come to relieve the pressure on our hard-pressed public services, including social services. That would allow social work to reclaim some of its heritage of family support, rather than sticking to its current role as merely a family crisis agency.

Mr. Rowe: Not all the problems are directly related to poverty. The Trustee Savings bank survey suggests that people between the ages of 15 and 19 spend an average of £14 a week on alcohol.

Mr. Milburn: I have some interest in that issue, as a former chairman of the all-party group on alcohol misuse. But I know from my discussions with social services departments—the hon. Gentleman will have had similar discussions—and with front-line social workers that many of the problems that they confront are a direct product of poverty and deprivation, particularly in inner cities.

I am not just calling for a new policy approach in the Government's tackling of those difficulties; I am also calling for a new spirit of co-operation between Departments in policy making. All too often, the failure to co-ordinate policy in Whitehall produces cracks that cannot be papered over by local services. If social work is to meet the next century's challenges, therefore, a new approach to policy making and new national policies need to be accompanied by something else—the point that the hon. Member for Mid-Kent made about training.

To juggle the often conflicting demands that social workers face, they clearly need to be properly and appropriately trained. The need, however, is not just for the right sort of entry qualifications, but for appropriate in-work training that continually updates skills and knowledge. The most pressing priority is for all social workers to have to demonstrate general competence. Whatever pressures they face, there should be no excuses for incompetence. Service users should be confident that the professionals charged with making important decisions about their lives are working to agreed standards of practice.

Currently, practice is measured against a range of standards, some of which are organisational and some of which are professional. Clarification is needed to ensure consistency and clarity. Standards for services and standards of practice and of conduct for staff should all be related to outcomes for users and for carers.

Despite the heavy responsibilities that social workers bear, there is, as all hon. Members have said, still no statutory body to which social workers and other social care staff are responsible for their standards and conduct. In this sense, social workers are unique compared with their peers in the medical, nursing and health care professions. Labour Members back the creation of a general social services council, precisely to ensure the highest possible standards and conduct among care staff who work with vulnerable people.

Although there is much work to be done to make the proposal a reality—perhaps the Minister will update us on that—and to ensure that it does not make demands on the taxpayer, a general social services council would have enormous benefits. My hon. Friend the Member for Morley and Leeds, South pointed them out. There would be benefits not only to users and employers but to staff. A GSSC would protect staff against people who are incompetent or unfit, and whose activities undermine confidence in the profession.

A general social services council would give the social work profession the status that it deserves, but I do not want to create a new vested interest, divorced from other caring professionals. Social workers have a responsibility to protect the most vulnerable members of society and to promote a better quality of life for people under stress, but they are not alone in that task. We favour a multi-agency approach to service delivery. We want to end unnecessary duplication of effort and, most important, we want the multi-dimensional needs of service users to be reflected in multi-disciplinary working, where professionals from a variety of agencies co-operate for the benefit of the individual. After all, a person with a mental health problem who is living in the community is as likely to need help from a community psychiatric nurse and a local authority housing officer as from a social worker.

All too often, however, multi-disciplinary working is frustrated by the lack of appropriate joint planning of service delivery. In that sense, the confusion in policy making at central Government level finds a ready reflection in what goes on locally. That is why I want local authorities and health authorities to work much more closely together in planning community care and in implementing its delivery.

Such an approach is especially necessary if a "care in the community" approach to mental health policy is to command genuine public confidence. Time and again, in report after report, we have been warned of the fault lines in mental health policy and practice, which can give rise to tragedy. The messages are always the same,

[Mr. Milburn]

particularly the failure to communicate and to co-ordinate. Only better co-operation between health and social care professionals can overcome those problems.

Specifically, urgent action is needed to clarify the relationship between the care management procedures operated by social workers and the care programme approach operated by clinicians. Thought should also be given to improving multiagency training in the health and social care sectors.

The changes that I have outlined—a new national effort to tackle poverty and disadvantage, improved policy co-ordination both nationally and locally, and new standards safeguards—will help to overcome public concerns about social work. They will also help to give a new lease of life to a profession that deserves support for the role that it plays in overcoming social exclusion and in promoting social cohesion. The hon. Member for Mid–Kent and all those who have spoken have done the House and the country a favour in highlighting the importance of the profession, and the changes that are needed to ensure that it flourishes.

12.15 pm

The Parliamentary Under–Secretary of State for Health (Mr. John Bowis): I echo what has been said in saluting my hon. Friend the Member for Mid–Kent (Mr. Rowe). His belief in and experience of social work and care shone through his speech. We owe him a great debt for bringing this subject to the House. I hope that it will lead to other debates on social work as that great area of professional work develops. I suspect that we also look forward to taking his Michelin guide on our travels around the country. "Eat out with your social worker" is a new concept.

When talking about a person with learning difficulties, my hon. Friend rightly talked about the need to understand people's needs, and even people. We must get the "Don't patronise me" message across. I have heard it said by people with learning difficulties. "Don't talk over my head", and "Don't talk down to me" are other messages that we should get across.

The same applies to my hon. Friend's message about that dreadful term "care leavers". As young people move from care to independence, we have a common duty to enable them to pick up the reins of adulthood and to benefit from their past care. We must ensure that they do not experience a sudden drop off. I endorse too what my hon. Friend said about volunteers. He is a specialist in that matter. We would do well to listen to him and to develop it much more.

I acknowledge too the complementary experience of the hon. Member for Wakefield (Mr. Hinchliffe). I always try to be helpful, so I will do my best to answer the request from old Labour to help to educate new Labour. It does not understand, he said, so I understand that request. We will do what we can over the coming months and years.

I agree with the hon. Gentleman's comments about the probation service and its role with the police, those involved in education and others, in diversionary work to help young people to avoid getting into difficulties that can lead to custody and other problems. That is an important matter. He talked about crisis intervention work, which, of course, is important. I hope that he was not underestimating the emphasis that we have placed, through messages from research and other areas, on the need to concentrate on prevention, so that today's problem does not become tomorrow's crisis. I note too his interesting thoughts on the Industry and Parliament Trust. Perhaps not industry, but someone should, perhaps, be doing just that.

I acknowledge the comments of the hon. Member for Morley and Leeds, South (Mr. Gunnell) about social workers' role and job having challenges, stresses and strains. I hope, however, that we will take the opportunity not just to talk about the gloom and doom that may come from surveys, but to talk up and to celebrate social workers' achievements. Ultimately, that will do social workers and social care workers a greater favour than concentrating on the downside.

I salute the 1 million men and women working in the private, public and voluntary sectors who devote their careers to the care of the most vulnerable children and adults—from child welfare, child protection and child custody, to the mentally ill and people with physical, sensory or learning disabilities, to people who are frail of body or of mind, to addicts who abuse their bodies and their minds. We salute social care workers today, and I do so when I travel around the country and witness the dedication, care and creativity that characterises the work of the best of them.

We hear about cases of poor quality, political correctness, intrusiveness, rigidity and, sometimes—sadly—of downright wickedness. Such instances often catch the headlines and are rightly condemned, but they are not the reality of the vast majority of people working in social care, who provide high-quality service and daily perform tasks and make decisions that most of us would rather not perform and make.

This year marks the 25th anniversary of the Seebohm reforms, which not only founded modern local authority social services departments but created what has in effect become the fourth pillar of the welfare state, ranking alongside the NHS, social security and education. In the quarter of a century since Seebohm, each generation has brought its own perspective and innovation to social care. The hon. Member for Darlington (Mr. Milburn) reeled off some of the legislation that has been enacted in the interim. I am not sure that the hon. Gentleman mentioned the Children Act 1989, but I would add it to his list. Those measures are notable landmarks of change and, most recently, we have seen legislation and progress in respect of mental health, carers and direct payments.

This year, total social services spending, including DSS preserved rights spending on community care, has risen to £10 billion—a figure approaching the spend on NHS family health services. Local authorities are employing about 233,000 staff in the various sectors of personal social services, and about 90 per cent. of field social work staff are qualified. If the voluntary and private sectors are included, the figure rises to 1 million. During the past decade, there has been a considerable shift in clientele; more people now work in domiciliary and day care services and occupational therapy, reflecting a move away from residential provision. Social workers are engaged in a wide range of services for highly dependent people who are vulnerable by reason of age and condition, as well as in specialised services such as mental health, young offenders, adoption and fostering.

I pay unreserved tribute to the way in which front-line social workers and social services staff in general have responded to the challenges that they faced at a time of structural, service and ethos change. Local government reorganisation, new responsibilities for community care, care at home rather than in a home, expansion of the range and type of service provider, services tailored to people rather than people made to suit services and greater empowerment, independence and choice for service users are challenges that social workers in all sectors have striven to meet.

We have opened doors to real choice and dignity for people who need care services, and forward-looking social workers and social service directors welcome that development. Making a difference to the lives of the people who, to a greater or lesser extent, rely on social care does not and should not mean taking over or controlling their lives. The values and ethos of social service professions have developed over the past 10 years into a general movement towards the real empowerment of service users. The whole thrust of social service changes, whether in respect of adults or children, has been to give users a greater say in the care support that they are given and a stronger voice in the way in which they are helped to live their lives. That movement has been reflected in the wide range of policy and practice changes that, through legislation and guidance, we have encouraged or required authorities to adopt.

In social services, the human and social values underlying the citizens charter were already well developed by the time that they were set out in the community care charter—for example, through the direction on choice for people needing residential care. Community care reforms put a new emphasis on consulting service users and their carers fully.

The Children Act 1989, and its regulations and guidance, make the interests, wishes and feelings of the child paramount whenever practicable in decisions affecting his or her future. Complaints procedures were established with a genuinely independent element. In all, the greater involvement and stronger voice of service users in all aspects of their care that has been led by social workers enables social workers to do their jobs in ways that should preserve people's real dignity.

While there is much to applaud in the difficult and complex work performed by social workers, we recognise that, sometimes, things go wrong. At the lower end of the scale of seriousness, there are still to be found occasional examples of a faded and outmoded political correctness. Many hon. Members will have had complaints from independent sector providers concerning the over-zealous regulation that persists in some areas—the sort of thinking that found its way into parts of the first draft of what was then known as "Home Life 2", which the House debated not long ago. My Department has issued practice guidance to restore a proper balance in the way that adoptions are handled.

Mr. Rowe: Perhaps my hon. Friend is underplaying some complaints from the private sector, which feels strongly and has evidence that there is more than just bureaucratic discrimination—that ethos discrimination makes life extremely difficult for the private sector.

Mr. Bowis: My hon. Friend makes an important point. I hope that the discrimination that is felt in some parts of the country will be overcome as more authorities, elected members and managers understand the benefits to service users of the best of the independent sector.

At the other end of the scale of seriousness is abuse. We all appreciate the careful and dedicated work that social services put into child protection. There is no knowing how many catastrophes and how much suffering have been prevented. I recognise that the work of many staff in helping young people to rebuild their lives often goes unrecorded. Many cases of abuse uncovered in recent years occurred 20 or 30 years ago, sometimes in facilities outside the social services or for which local authorities did not at the time have the same responsibility that they do now.

None of us can feel comfortable about failures at member or manager level to discharge the responsibility of protection from abuse. I am glad of the welcome given to Sir William Utting's thorough review of safeguards, to ascertain whether they are adequate. Sir William will bring forward any recommendations that he thinks fit, and we will study them carefully.

Regulatory and management safeguards, and the regulation of social services personnel, are also important. We intend to issue before the summer recess a consultation document that will describe and report positively on suggested standards of conduct and competence that we commissioned from groups led by the National Institute for Social Work and Price Waterhouse. That work has shown that such standards can be articulated in social services. The consultation document will seek views on the various possible mechanisms for disseminating and enforcing professional standards.

One mechanism is the creation of a statutory council, broadly of the kind used to regulate standards in other caring professions. I fully understand the wish of many people working in social services and of the all-party panel for a general social services council, and I am aware of growing support among social service employers for such a council.

Our consultation document will give full weight to those views, widen the canvas of discussion to user and wider consumer interests that have not so far contributed substantially to the debate, and outline practical issues. A large number of people work in social services, but not all social care—particularly at the sharp end, involving vulnerable groups—is provided by people with backgrounds suitable for registration with a professional body.

Existing statutory councils in other professions have never found it easy to spot in advance individuals who are subsequently found—for example, after disciplinary proceedings or criminal conviction—to be unsuitable to work with vulnerable people. Nor have they invariably concluded that it is just or reasonable that individuals whose registration has been removed or suspended should be permanently banned from practising their vocations. Our consultation document will—I hope constructively—expose those issues, which we certainly realise must be tackled.

My hon. Friend the Member for Mid-Kent also raised the issue of training. Although the three-year case is yet to be proven, I accept his point about the need to examine post-qualifying education to discover whether we can ensure that it is adequate to keep people up to

[Mr. Bowis]

date and to achieve the right combination of academic and practical training. We will certainly consider what he said, and I shall discuss it with him on a future occasion.

This has been an interesting and useful debate. Social workers will continue to have a key role in delivering services to vulnerable people. We owe it to them and to those whom they serve to do all that we can to help them perform that role effectively. That is the best way to ensure that people working in social work deserve and achieve the public respect and standing that comes from an often difficult and challenging job that is well done.

Holiday Airlines (Safety)

12.30 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Most people have only one annual holiday, which they save for throughout the year. Therefore, it is very important to them to know not only that they are protected by correct safety laws, but that they will receive proper protection from their country's legislation.

Over past months, I have become increasingly concerned about the number of cheap holidays advertised, which means that many holidaymakers buy holidays but are not aware that, in some cases, a holiday advertised by a perfectly reputable travel agent may not necessarily have behind it either an aircraft or even an aircraft slot that would allow a flight to land at a particular airport at a particular time.

I believe that almost all our holidaymakers would be confused if we were to ask them to what protection they are entitled. Most people who buy a British holiday from a travel agent assume that they are reasonably safe—which has always been the case in the past. Unfortunately, there has recently been a growth in the numbers of brokers who lease planes after they have already sold the holiday, and in the numbers of tour companies that do not have confirmed aircraft or proper planning to run holidays in the manner in which they were presented to the tourist.

Does that matter? It matters enormously. A responsible airport authority will respond quickly if an airline does not have permission to land an aircraft at a particular airport at a particular time, but which instead exercises a mild form of blackmail and tells air traffic control, "We have so many hundreds of British holidaymakers on board. We therefore must land—otherwise, there may be a problem". But that is not a good basis on which to organise a travel industry.

In April, therefore, I wrote to the Secretary of State to set out some of my worries about travel companies, check-in procedures, the way in which international rules are applied, and the actions that Britain is taking to ensure that we are complying in every way with necessary safety standards. I am not overwhelmingly impressed by the fact that I wrote to the Secretary of State on 23 April but received a reply only this morning, 2 July. The Department should not be commended on its sense of urgency in this matter.

The letter is astonishingly complacent. I should explain that all the countries with which we normally deal are party to the Chicago convention, and that they should adhere to its rules. Some time ago, the Federal Aviation Administration in America—which is also party to the Chicago convention—became concerned about the safety of American nationals, and instigated a series of checks. Some of the checks were audits on the ground, but many of them consisted of banning or limiting the action of certain foreign airlines.

In conjunction with the Governments concerned, the FAA went to the countries in which those flights originated, and checked on safety standards and maintenance. In fact, that exceeds the requirements of the Chicago convention, and many people would say that it was breaking some of the convention's terms.

The FAA took those actions because it believed that American nationals on holiday needed to be protected. When I began to question the Government about our

reaction to some of the difficulties, I was appalled to be given what I can only call the brush-off. I asked, for example, whether we were following an action plan similar to the FAA's. I received a reply that said, "You should ask the FAA." On a Sunday afternoon, I managed to obtain information from the Internet about which countries and which categories were banned—information that Her Majesty's Government were unwilling or unable to give me.

Moreover, the FAA, when asked, provided me with someone who was prepared to come to London to talk to me about the airline safety records of various countries. The FAA not only maintains long lists—which constantly change, because it is a moving operation—of countries which it believes have safety problems, but instigates talks with people in those countries. Many of the airlines that fly into the UK are already on the FAA's banned or limited list.

I was very concerned about that. However, I have been told in this letter—which I have read only very briefly—"We are not concerned about the FAA. We have carefully considered the implications of the FAA programme for our dealings with the states in question." It states:

"We have concluded that we could reasonably take the FAA findings as evidence that something may be wrong . . . we are less convinced that as signatories to the Chicago Convention we could, or indeed should, simply replicate FAA action".

If that is the Government's attitude—fine.

Why is this issue so important? I recently received a letter from a holidaymaker who had been on the "notorious" Excalibur flight. The letter is from a very sensible family, who wrote to the reservations manager of Globespan to set out some of what had happened to them on their outward and inward flights. It states, first, that there were

"Severe problems on outgoing flight, due to lack of tickets"

and that there was no clear information about the plane.

The letter continues:

"Despite numerous telephone calls, three separate sets of tickets failed to arrive, until the day before departure.

Flight 066 split between two different airlines, causing a further three-hour delay. Despite claims this was unforeseen"

the staff handed out pre-printed letters. I do not know whether that means that the airline foresees that it will have problems not with particular flights but with every flight. It does not inspire confidence.

The letter goes on:

"All party members seated separately"

in the aircraft, resulting in some small children being separated from their parents. There were "foreign-speaking cabin staff", and, despite the fact that it was a daylight flight, they were ordered to keep the cabin in darkness.

The return flight was even more horrific. The letter states:

"Following check-in, three fire engines and men in breathing apparatus working on the plane, causing initial concern and delay".

They were informed at last that the plane was ready. An announcement was made for the front half of the plane to board, but the rear-half passengers would have to wait, because the mechanics had not finished. The captain announced that the delay had been caused by an electrical fault. That was rectified, and the plane was ready to take off.

They then experienced a further, absolutely horrifying catalogue of problems, including finding themselves in a smoke-filled plane. Eventually, 91 of the passengers refused to travel on the plane, and had either to find their own way back or to sit up in the airport all night. That is scarcely a sensible way to operate any airline.

I then inquired into not only Excalibur but Air Ops. Air Operations, or Air Ops, is a company which has produced a series of most interesting names, and which keeps reappearing. I have been questioning the Department about it for some time. Air Ops recently went into liquidation, but has been resurrected as Air Ops International. It is currently applying for permission to operate between the United Kingdom and various European destinations.

The company is Swedish-registered, and all the safety inquiries that I have made of the Department were met with the answer that this country has no problems with Swedish air safety standards, and is quite happy to accept Swedish-registered planes. That is fine—we should be happy to do so when we know that safety standards are equal to ours—but if someone leases a plane, parks it at a British airport, fills it with British holidaymakers, flies it, possibly with a foreign-speaking crew, to a third country, returns it to Britain and parks it at the same airport without ever returning it to its country of origin or the country where it is registered, it must be clear that it is not undergoing either spot checks or day-to-day monitoring. It is true in the abstract that Swedish safety laws are excellent, but if an aircraft never goes back into Swedish air space, how on earth do we know that its safety standards are being maintained?

Let us consider Air Ops in detail. The company is owned by Thomas Johansson. Mr. Johansson was formerly involved with airlines such as Time Air, Omega Air and Sultan Air, all of which have gone into liquidation. As I said, Air Ops has been resurrected as Air Ops International. It is clear that not only individual holidaymakers but the Civil Aviation Authority has been having difficulties. I asked what debts were owed to the CAA by Sultan Air when it went into receivership. I also asked what was happening about flights operated by Air Operations Europe as a result of the High Court ruling of 10 October 1994, and about Omega Air and the other companies.

The reply that I received was very instructive. I was told that Sultan Air left no outstanding debts, but that, on 10 October, the High Court ruled that Air Operations Europe had been the operator of a particular aircraft against which the CAA obtained an order of sale, and that, at a further hearing on 14 November, the High Court ruled that, unless payment of outstanding route charges and the CAA's costs was made, the CAA would be at liberty to proceed with the sale. Not surprisingly, the money was forthcoming, so no detention action was taken against that aircraft. When it is explained in detail what is happening with other aircraft, it becomes clear that, whenever difficulties arise, these companies simply go into liquidation, and then reinvent themselves under another title.

I asked the Secretary of State for Transport to place in the Library copies of an operations certificate issued to Air Operations Europe. I was told that the certificate of airworthiness for the particular aircraft about which I had made inquiries

"was withdrawn after problems were found during routine maintenance and the aircraft was therefore not allocated to any particular flight".

[Mrs. Gwyneth Dunwoody]

I was told that, if I wanted to know anything else, I should ask the Swedes.

I have a strange, old-fashioned idea that British Members of Parliament have the right to question the Government of the day about the safety in the air of British nationals in their own country. It is not adequate to deal with the matter by talking to the FAA or the Swedish authorities. I am happy to do so, but I am now asking the Government what they intend to do, and how.

I also asked questions about many of the countries on the FAA's list, which is, in effect, its list of forbidden countries. I asked why a country such as Ghana was receiving assistance although the FAA thought that there were problems with it. I also asked about Bulgaria, which was an education in itself. The Government acknowledged that the Department had

"received 36 passenger complaints alleging various problems or deficiencies with flights using aircraft registered in Bulgaria. The Department asked the UK Civil Aviation Authority to conduct an independent assessment to ensure that International Civil Aviation Organisation standards were being applied. This assessment was carried out in February 1996".—[*Official Report*, 1 July 1996; Vol. 280, c. *348-49*.]

That does not say whether the result was good or bad, but there are still a number of difficulties, and it is clear that a number of countries are flying aeroplanes here to pick up British holidaymakers, although there is reason to doubt that they know what they are doing and whether the holidaymakers are being carried in all safety.

I have a number of urgent things to ask the Government. I want them to take immediate action on air audits. We must know whether the pilots of foreign aircraft are complying with the correct safety rules, whether they fly when suffering from fatigue, how many hours they fly, and whether they are safely in control of the aircraft. Holidaymakers must know that a foreign aircraft is insured to the same level as a British one, and offers the same protection. It is no good demanding that when it is too late, and when passengers have been put in a highly dangerous situation.

Furthermore, the Government must revise their attitude towards spot checks, almost irrespective of an aeroplane's country of origin. If we know that aircraft are flying in and out of this country without returning to their country of origin for checks, we must ensure that we do the work that should be done in the country of origin.

It is absolutely essential that we give holidaymakers the right to ask for their money back if, when they arrive at an airport, they are offered an aeroplane that does not comply with the information given to them at the time of booking. At the time of booking, people should be told the flight, the carrier and the conditions under which they are to fly. Such matters cannot be got ignored by saying that we are party to international rules, and that, if we comply with them, everything is being done to protect British holidaymakers.

There has been an enormous burgeoning of cheap holidays—more and more people are flying around the globe on holiday with their families. This means that many companies are moving in on this trade, without providing the proper protection. They are prepared to break the law, to use crews who do not speak English, and sometimes to put pressure on the air traffic control services. This will not do. The Minister is looking at his watch, because he thinks that I am being ungenerous in not leaving him more time.

In view of the questions that I have been asking and the pressure that I have been putting on the Department of Transport, the Government have known for three months how concerned I have been. Even so, they managed to reply to my initial letter, sent on 23 April, only this morning. If that is an indication of the urgency with which the Government intend to address the problem, all that is left for individual Members of Parliament to do is to make public our very real fears about the way in which British holidaymakers are being carried abroad—in what may be sub-standard aircraft on substandard tours. I do not want this situation to continue. We must protect our holidaymakers on every holiday.

12.49 pm

The Minister for Transport in London (Mr. Steve Norris): The hon. Member for Crewe and Nantwich (Mrs. Dunwoody), with her customary perceptiveness, notes that I am concerned about the time I have available to respond to the points she has made. She knows very well that, the longer she talks, the less time I have to reply. If there are items with which I am not able to deal fully, I shall write to her. I will write to her on the Balkan Bulgarian Airlines issue.

The most recent check on Ghana Airways was on 16 May. Standards on one or two on-board safety items only just met International Civil Aviation Organisation standards, but they were not sufficiently worrying for the aeroplane concerned to warrant detention. If the hon. Lady wants to ask further questions about that, or about any of the other issues she raised, I shall be happy for her to do so.

I rather agree with the hon. Lady on Air Ops. If there is a disparity between the place of registration of the airline and its principal centre of operations, we must be satisfied that that does not allow lower standards than should apply to such an operation. I note the hon. Lady's points on that.

The hon. Lady is rightly concerned about holidaymakers travelling on chartered foreign aircraft. Last year, more than 30 million passengers were carried on all charters from the United Kingdom—an increase of 40 per cent. over the past four years. Around 86 per cent. of those passengers were carried by UK airlines, a fairly constant share.

There is no evidence that the proportion of charter passengers carried by foreign airlines has increased. Of course, the absolute number has increased as the total demand has risen, but I do not consider that this need be a cause for concern. Many of the airlines taking holiday tours and many of the aircraft used are regularly involved in other air services, such as scheduled flights to and from the United Kingdom.

Flying on foreign aircraft does not mean flying on unsafe aircraft. Foreign aircraft, like British aircraft, are subject to internationally agreed safety controls and standards. I should like to take a few minutes to describe the safety system under which international aviation operates.

The fundamental basis, as the hon. Lady suggests, is the International Civil Aviation Organisation—ICAO. The signatories to it accept and comply with the annexes

to the Chicago convention, which establishes a number of minimum standards for the safe operation of aircraft. The system of mutual interdependence is reinforced by specific articles in the convention, including an obligation that states will accept certificates and licences provided by another state, as long as ICAO safety standards are being met by that state.

The hon. Lady made great play of the Federal Aviation Administration investigations. I make it clear to her that the ICAO system is the only practical and sensible way in which international aviation can operate. It would simply not be practicable for every state to check every flight entering its borders against its own national standards. However, that does not preclude a state making checks if it has grounds to question whether the ICAO safety standards are being met. If states have no evidence, they have no right to make checks, which is a clearly established principle.

So we have an international system, which we firmly believe is the only practicable basis for organising safety worldwide, backed up by domestic legislation in the UK. That legislation provides that, with the exception of European Economic Area airlines performing intra-EEA flights, which do not need a permit, all other airlines wishing to perform a public transport service to or from the United Kingdom must obtain a permit from the Department. Before that permit is granted, we must be satisfied on a number of points.

The key points are as follows. First, has the airline been approved by its authorities as being competent to operate the type of flight concerned? Secondly, has the aircraft been certified as airworthy by the aeronautical authority of the country of registration? Thirdly, does the airline have adequate insurance?

Confirmation of those points is normally obtained by the airline submitting appropriate documentation. If we have any doubts about whether the documents are valid or whether they are issued on the basis of ICAO standards, we do not issue a permit until those doubts have been resolved. That may mean that we have to consult the authorities in the country concerned, or we may ask the Civil Aviation Authority to visit the country to clarify safety oversight procedures.

Once a permit has been granted, we continue to monitor the safety standards of the airline and the country concerned. If we have evidence to suggest that safety standards may no longer be meeting ICAO requirements, my Department makes the appropriate checks. Again, that may mean consulting the overseas authority, but the Department may also ask the Civil Aviation Authority to conduct a physical inspection of aircraft at a UK airport.

Mrs. Dunwoody: How often?

Mr. Norris: If such checks reveal serious safety concerns, the authority can detain the aircraft, and the Department can withhold permits. The hon. Lady asks how often inspections are carried out. If she had been listening to what I have been saying, she would have known that the instigation for such inspections is the one I have just outlined. Incidentally, I note in the 1996-97 programme inspections of Nigeria Airways, Viasa of Venezuela, Ghana Airways, Air Zimbabwe, Cameroon Airlines and Syrian Arab Airlines. If the hon. Lady wants evidence of any further inspections, I shall be happy to provide it.

The procedures apply to holiday flights involving foreign aircraft, just as they do to other flights. There are three ways in which foreign aircraft may be involved. First, a foreign airline may offer a flight directly to the public to its own country. Secondly, a UK airline may lease a foreign aircraft for a holiday flight. Thirdly, tour operators may charter foreign aircraft for flights between the United Kingdom and a country that is not that aircraft's country of registration—so-called fifth freedom charters. My noble Friend the Minister for Aviation and Shipping announced on 19 June the results of a review of these fifth freedom operations, and I will return to that in a second. I emphasise that all these flights are equally subject to the safety procedures I have just outlined.

As UK operators are subject also to certain European legislation, there are additional procedures to be followed for flights involving foreign aircraft leased with their crews to United Kingdom operators. Under EC regulations, member states are required to satisfy themselves that leased aircraft will be operating to standards equivalent to those applied to their own carriers.

UK airlines wishing to lease foreign aircraft require permission from the Department of Transport, and prior approval of the operation from the CAA. Where the CAA does not know enough about the foreign airline or about the standards imposed by its regulatory authority, it will carry out a safety audit of the carrier and the authority to satisfy itself that UK equivalent standards are being met. The cost is met by the UK airline wishing to lease the foreign-registered aircraft.

We have taken a number of steps recently to improve the effectiveness of the international system and the oversight of foreign aircraft. Some were announced by my noble Friend the Minister for Aviation and Shipping on 10 January, and we have built on them subsequently. On the international front, we are assisting ICAO in the implementation of a programme to monitor member states' adherence to the ICAO safety standards.

Our latest information is that 35 states have requested ICAO teams to visit them, six of which had been visited by mid-May. CAA inspectors are due to take part in a number of forthcoming visits. This initiative is vital, because it tackles the safety problems at source; we are firmly committed to it.

We are similarly committed to European initiatives, which have been accelerated by the Puerto Plata accident in the Dominican Republic, in which a number of German holidaymakers were killed. The European Civil Aviation Conference—ECAC—is putting in place a safety assessment programme. The first priority will be to ensure that information about possible safety problems is collected and disseminated to all ECAC members to help them monitor the operation of aircraft to and from their country.

This means that, in the United Kingdom, we shall have access to more evidence about the standards of aircraft carrying our holidaymakers on which to decide whether to withhold permission for particular flights or to ask the CAA to inspect particular aircraft. It also means that ECAC will be able to put together the evidence from a wide range of sources about the way in which safety standards are being applied by foreign aeronautical authorities, and to identify states that need to be assessed in depth.

The ECAC initiative is the basis of proposals drawn up by the European Commission, which were presented to the June Transport Council. My Department took part in

[Mr. Norris]

the high-level group chaired by the Commission, which discussed the proposals, and will make whatever contribution it can to the further work for which the Council has called.

What about action here at home? We announced in January that we had tightened up the procedures for considering permit applications, particularly for foreign carriers wishing to operate to the United Kingdom using a leased aircraft registered in a third country. A statement is now required from the applicant setting out which airline is responsible for the safe operation of the flight, whenever aircraft leased with crew are involved.

We have increased the number of inspections of aircraft carried out by the CAA. In 1995, the authority carried out four inspections at the Department's request; so far this year, it has already carried out twice that number—eight—the last two just last week. The authority visited Bulgaria in relation to Balkan Bulgarian Airlines. We are satisfied with that country's compliance with ICAO standards and with safety oversight procedures there. Inspections can lead to aircraft being detained and permits being withheld, and although none of those we have requested this year has done so, the increased number of checks sends a clear message to all airlines flying to the United Kingdom.

I have explained that such inspections and visits can be undertaken only where there is reason to doubt that safety standards are being met. Doubts may arise from passenger complaints, for example, assessments by other countries, or the United States Federal Aviation Authority's safety assessment programme. We cannot check a whole class of flights, such as holiday charters; nor can we simply ban all aircraft from a country on the basis of unchecked reports or assessments.

I should add that the CAA does not have to wait for the Department to request an inspection if it has received information directly that leads the authority to suspect that an aircraft may be unsafe to fly—whether it is a United Kingdom aircraft or a foreign aircraft. In such cases, it can and does inspect the aircraft as quickly as possible, and grounds it if it is found to be dangerous.

Finally, I should say a word about my noble Friend's announcement about fifth freedom. We recognise concerns about safety of aircraft that have been based here, away from safety oversight in their state of registry.

As a result of a review of policy on fifth freedom charter flights from the United Kingdom, we announced on 19 June that, from 1 August this year, the relevant number of fifth freedom passenger charter flights that any one carrier can operate in any one season will be limited to 10 return flights. One effect of that new rule will be to make it less attractive for non-EU airlines—

Madam Deputy Speaker (Dame Janet Fookes): Order. Time is up.

Beef Ban

1 pm

Mr. Graham Riddick (Colne Valley): I welcome the opportunity to initiate a debate on the European Union ban on beef exports. When I spoke in the two-day debate on 16 May, I said that the bovine spongiform encephalopathy crisis was a disaster for the farming industry. That disaster continues for many farmers who are struggling to keep going and plan for the future. There is, however, rather more clarity than there was seven weeks ago. The cull of cattle over 30 months is now fully under way, and there is some light at the end of the tunnel in respect of the European Union ban on beef exports.

My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture knows that, on five separate occasions, I have voiced my deep objections to the European Union worldwide ban on British beef exports. The Government have made it clear that they consider the ban illegal. I have made the point that, if we regard the worldwide ban as illegal, we should behave accordingly. The most appropriate response would be actively to promote the sale of British beef to third countries. Although we have made progress as a result of the Florence summit, we should not entirely dismiss that option, in case the EU proves rather less co-operative post-Florence than we expect it to be.

I was encouraged by the fact that, last week, my right hon. Friend the Prime Minister was able to set out a fairly specific timetable for the lifting of the export ban. Clearly, progress has been made with our European partners, and I have no doubt that the Government's policy of non-co-operation contributed to that, as it helped to concentrate minds. Without it, I have little doubt that our European partners would have maintained a complete ban on the export of British beef, with no prospect of it being lifted, if only because it helps their home farming industries.

It is somewhat ironic that the beef industries in some countries on the continent have suffered even more than our own. The EU's hasty and ill-judged ban on British beef exports contributed to the sense of crisis that has so reduced consumer confidence on the continent. However, French and Irish exporters—and no doubt others, too—are now supplying beef to many of the lucrative markets that British beef exporters have had to forgo.

Of course, we in Britain have been deeply upset by the EU ban on the export of British beef, but what has truly outraged so many people is not so much that British beef has been banned from sale to other EU member states, as that the EU has banned the sale of British beef to every other country in the rest of the world. I find that totally unacceptable.

Sir Donald Thompson (Calder Valley): It is obnoxious.

Mr. Riddick: As my hon. Friend says, it is obnoxious, and I am pleased that the Government are challenging that aspect of the ban in the European courts. I also welcome the declaration in the presidency conclusions that the European Commission will consider any third country request for the supply of British beef.

Perhaps it would be helpful if I put on record exactly what the Florence European Council said in its presidency conclusions:

"The presidency declared that if, in the meantime, a third country requests a supply of British beef exclusively for its domestic market, the request will be examined by the Commission within the overall framework after consulting the appropriate scientific and veterinary committees."

Mr. David Nicholson (Taunton): Does that not suggest that we should swiftly seek evidence of progress? Do we not expect a determination in our favour by the European Court in a matter of days, or possibly a few weeks? However, my hon. Friend will know that President Mandela of South Africa is coming here next week. His visit will provide us with an opportunity to make an agreement to export beef to South Africa, and we would not expect the European Community to obstruct such an agreement.

Mr. Riddick: I am grateful to my hon. Friend, who has prepared the ground for what I shall say later in my speech.

I remind the House exactly what my right hon. Friend the Prime Minister said in his statement on 24 June after the Florence summit:

"the Commission will consider individual requests from third countries to buy British beef exclusively for their domestic markets. If such requests come forward soon, I hope that, either through Commission procedures or the European Court case, exports from Britain to third countries will begin to flow".—[*Official Report*, 24 June 1996; Vol. 280, c. 22.]

When I have suggested that the British Government should simply ignore the worldwide ban, the response has been that there is no demand from overseas for British beef, and no orders have been received. I am pleased to tell the House that I have here a copy of a very firm order that was received by a British firm called First City Trading from a South African company called Brito's in Cape Province for 360 tonnes of frozen beef flanks. We have great difficulty in finding markets for beef flanks. The order amounts to 120 tonnes a month for July, August and September. The total value of the order is almost £250,000.

My hon. Friend might be interested to know that, at the end of the order, the buyer adds:

"For your information there is now a lot of French flanks being offered to this market as well as the normal Irish offers".

I know that First City Trading, which is based in London, has purchased some beef from traders in Yorkshire, so I hope that the order will be delivered by one of the Yorkshire meat traders.

The delivery of the order depends on the ability of the South African company to get an import licence from the South African Government. When the South Africa Agriculture Minister recently visited the country, he said:

"We would like to have British beef back on our markets—safe as prescribed by British standards and by our standards."

South African vets have looked extremely closely at all the controls imposed on the beef industry, and found them extremely rigorous. They believe that British beef is safe. I am confident, therefore, that the South African Government will be prepared to grant an import licence, but it is essential that we allow the beef to be exported in the first place.

Following a little prompting from me during the debate on 16 May, my hon. Friend the Minister of State, Ministry of Agriculture, Fisheries and Food said:

"Although it has not happened yet, if someone comes knocking at my door to say that he has an order from a third market, of course we shall consider that."—[*Official Report*, 16 May 1996; Vol. 277, c. 1092.]

The EU communiqué said much the same thing.

The South Africans want our beef, and believe it to be safe to eat. It is therefore a major test of the good faith of the European Commission and our European partners. If they stand in the way of the execution of export orders, they will be acting in bad faith.

The EU ban has been justified on the grounds of preventing deflections of trade—in other words, to stop exports to third countries from being re-exported back to the EU. In my view, that is disingenuous. Because of the enormous subsidy to exporters to bring the export prices down from the inflated CAP prices to world prices, elaborate systems must be undergone. Importing countries sign import entry certificates confirming that the beef is for home consumption. Furthermore, levies on imports into the European Union are higher than export refunds that exporters receive. In practice, therefore, to re-export to the EU would be costly and pointless, especially from a country as far away as South Africa.

As far as I am aware, this order is the first firm and specific one received from outside the EU since the beef crisis began. I hope and believe that the European Commission will allow it to be delivered, and that it is the beginning of the resumption of export trade, at least with third countries outside the EU.

Mr. Martin Richardson, the managing director of First City Trading Ltd., tells me that he has other customers in South Africa who would like to place orders for British beef, and that he has no doubt that he could drum up business from other countries. It is time that some semblance of normality in the export business was restored, and that Mr. Richardson and his colleagues were allowed to get on with what they know best: helping to improve Britain's balance of trade.

There is, however, one problem. First City Trading and other companies involved in the export business have been in danger of going out of business. Since taking an interest in the export business, I have been struck by how enormously complicated it is. We cannot afford to lose the expertise of people such as Mr. Richardson. Such expertise has taken some years to develop. Beef exporters are still having to take receipt of beef which was turned back from third countries before the crisis blew up.

My hon. Friend the Minister will be aware that beef exporters have requested that they be included in the compensation scheme, and the Government need to consider that request, for two reasons. First, we do not want expertise that has been built up and encouraged by Government policy, which has provided subsidies, to disappear, because it would take a long time to rebuild.

Secondly, if the beef exporters find that they are unable to pay their export refunds, their guarantors, which are mainly banks and insurance companies, will be approached. That could have a serious effect on the confidence of banks and insurance companies in providing guarantees for any other goods under the common agricultural policy. Will my hon. Friend address that point? The simplest solution could be for the Government to buy the beef that has been returned to this country.

Getting the export ban lifted is an important part of the process of restoring full consumer confidence in British beef. There has been an increase in the use of imported

[Mr. Riddick]

beef in this country in recent months, especially in the catering trade. Some of the farmers in my constituency have asked me, "How do we know whether beef from Argentina, Australia or Botswana is as safe and as rigorously regulated as it is in this country?" The answer is that we probably do not know.

Mr. John Sykes (Scarborough): Are there not vast numbers of unreported cases of BSE-infected cattle in France, Germany, Switzerland and Austria? Does that not mean, therefore, that, not only is there probably as much danger in eating European beef, but it is much safer to eat British beef, especially from Yorkshire?

Mr. Riddick: Yes, especially from Yorkshire, as my hon. Friend, who is also from Yorkshire, says. He makes his own point. Many of us in the House have suspicions that the incidence of BSE is grossly unreported on the continent, but it is obviously difficult to make that stand up.

Bearing in mind that we want to regenerate trade in this country, there is an argument for refusing to import beef from EU countries that do not have the same specified bovine offal controls as us. Will the Minister consider that?

I would also have thought that there was a strong case for imposing a ban on the importation of any beef from cattle over 30 months old. I think that I am right in saying that, at the moment, some countries are exempt from the 30-month ban, and can export to this country. Most important, we want to stimulate sales of British beef in the home market, and in particular increase the throughput of below 30-month-old cattle. Such trade is still fairly sluggish, and farmers, as my hon. Friend the Minister will know only too well, are receiving much lower prices at auction than they were before the crisis began.

When I met an auctioneer from Cornwall a few weeks ago, he impressed on me the need to introduce deficiency payments to encourage farmers to take their beasts to market and help to reduce prices—thereby stimulating sales of British beef. I note that my hon. Friend the Member for Ludlow (Mr. Gill) has been arguing for something similar. Such a system would encourage people to eat more beef, and would lead to fewer beasts being kept until they were 30 months old, then needlessly destroyed and wasted. I do not know whether the Ministry of Agriculture, Fisheries and Food has considered that, but if it has not, along with the European Commission, it should do so in detail.

When I spoke in the debate in May, I urged the Government to take swift action to get exemptions for the slower maturing breeds, and I am dismayed that there appears to have been no progress on that front.

I am glad of this opportunity to raise some of the issues concerned with the EU's worldwide ban on British beef exports. I hope that the European Commission will respond positively to the order that I have announced. If it does not, the Government will have to consider what action they can take to resume exports. Unilateral action may be necessary, but hopefully, it will not come to that.

Members of Parliament, and all those who have the interests of British farming at heart, should take every opportunity to reiterate that British beef is safe to eat. The link between BSE and Creutzfeldt-Jakob Disease is not proven. The incidence of CJD is no higher in this country than in any EU country. Indeed, it is lower than in many other countries.

The measures that the Government have progressively taken, especially the ban on specified bovine offal, mean that all offal that could harbour BSE is removed from cattle at slaughter. The latest move to ban the sale of meat from animals over 30 months old is a further precaution that should reassure consumers that British beef really is safe to eat. I know that many Opposition Members do not like to send that positive message to their constituents, but Conservative Members do, and I hope that this short debate will be seen as having made a positive contribution to the future fortunes of the British beef industry.

1.16 pm

Sir Donald Thompson (Calder Valley): I thank you, Madam Deputy Speaker, and my hon. Friends the Minister and the Member for Colne Valley (Mr. Riddick), for allowing me to speak. I shall make four points as briefly as I can, without being discourteous to those on whose behalf I make the points.

A farmer of mine, like many farmers in my constituency and the constituency of my hon. Friend the Member for Colne Valley, is a rearer of stock, and is finding it very difficult to place stock for slaughter easily and quickly. His name is Andrew Naylor, and I shall write to my hon. Friend the Minister about his difficulties, because they are very complicated. We might be talking about a farmer having problems with only two, three, four or five animals, but the problem is widespread, and concerns many millions of animals across the country. It is very difficult for such farmers.

My hon. Friend the Member for Colne Valley mentioned the South African veterinarians who have monitored BSE in this country, and found that everything we have done is satisfactory. I was distressed to see on the front page of yesterday's edition of *The Times* that, far from monitoring what we have done and disseminating information on the action taken on BSE in this country, the European Union seems to have deliberately—

Mr. Sykes: Ignored.

Sir Donald Thompson: It has not ignored that information, as my hon. Friend says, but has suppressed its dissemination not only to the Commission but to the European Parliament. It is therefore no wonder that, when my right hon. Friend the Secretary of State for Health made his announcement, the European Parliament and the Commission considered it a bombshell. In fact, the introduction to the statement was careful and gentle, and full information had been given, which should have instilled confidence in the European Parliament and the Commission over the years.

My hon. Friend the Member for Colne Valley mentioned exports. When we think of exports, we always think of prime steak and the roast beef of old England, but there are two very important exports on which thousands of jobs in Britain depend. One is pet food. I say "jobs in Britain", because pet food is manufactured all over the United Kingdom, and takes 60 to 80 per cent. of the European market. British pet food in cans—beef—is now prohibited, as are hamburgers and beefburgers.

For a number of technical reasons with which I shall not bore the House, it transpires that, partly because meat from young bulls is not used, British beef is the best for making hamburgers and beefburgers. As the Minister knows, hamburgers and beefburgers from reputable companies are made of top-quality meat—first-class forequarters from young animals.

That market has been strangled by the ban on exports to Europe and to the rest of the world. Like the markets that my hon. Friend mentioned, the hamburger and beefburger market is most important to all our farmers. The more quickly the illogical ban is lifted, the better.

1.19 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning): I congratulate my hon. Friend the Member for Colne Valley (Mr. Riddick) on securing a debate on this important subject, and I have listened with great interest to the information that he has brought before the House.

The European Union ban introduced on 27 March on exports of all British beef and beef products, not only to other member states but to all third countries, was most unwelcome. More than that, it was completely unjustified—and in our view illegal, too. The ban affects a great many people in the United Kingdom. Beef farmers and many others in the industry, such as abattoir operators, transporters and meat exporters, have all found their trading opportunities greatly reduced. In many cases, that has had significant detrimental effects on their livelihoods.

In the United Kingdom, our highest priority with regard to BSE has always been the protection of public health, as my hon. Friends the Members for Colne Valley and for Calder Valley (Sir D. Thompson) have both carefully explained. That is why we have had in place in the public domain for many years stringent controls, especially controls on specified bovine offals, to protect the public from any possible risk of BSE.

Only now have other member states with significant amounts of BSE in their herds started to introduce similar measures to protect their own public, and most other member states still have no similar measures in place. I do not take that situation lightly, and I am vigorously pursuing with the Commission the reality of the situation in all member states.

Of course, the rules that apply to the production of meat for the domestic market apply equally to the production of meat for export. We have in place measures to protect British consumers, which also protect consumers in our export markets. I remind the House what the chairman of the Spongiform Encephalopathy Advisory Committee has said as a result of the stringent controls that we have put in place:

"In any common usage of the word, British beef is safe."

I hope that that fulfils the desire of my hon. Friend the Member for Colne Valley that we should continue to say that, and to explain the situation at every opportunity.

The chairman's view has been echoed by independent international bodies, including the World Health Organisation, the International Animal Health Organisation and the OIE—and, indeed, the Commission's own Standing Veterinary Committee. Thus, the export ban imposed on Britain by the EU cannot be justified on public health grounds. We already have in place the measures thought by all the experts to be necessary to protect public health from the risk of BSE, both here and in our export markets.

The Government have taken vigorous action to get the export ban lifted. First, we have challenged the ban before the European Court of Justice. Our application for interim relief, for immediate suspension of the ban or elements of it, has already been heard, and our case was presented most forcefully by my right hon. and learned Friend the Attorney-General. We expect to hear the results of the hearing shortly.

We have also taken a parallel approach, applying political and diplomatic pressure to have the ban lifted. In that complex technical area, it is most important that policy should go forward on an objective and scientifically justified basis. That is the basis for our domestic policy on BSE, and that is what we look for from the rest of Europe.

It was therefore most regrettable that, when the Commission put forward proposals to relax the ban on beef derivatives—proposals based clearly on advice from the Standing Veterinary Committee—they were rejected by some member states. That led to our reluctantly operating a policy of non co-operation until two specific objectives had been met—first, the lifting of the ban on beef derivatives, and secondly, the agreeing of a clear framework for the lifting of the wider ban.

I was grateful to note that the policy of non-co-operation was welcomed by my hon. Friends, and that policy has proved successful. Within a month, having seen no movement whatever in the preceding two months, we have achieved our twin objectives,

Our first objective was achieved on 10 June, when the ban on beef derivatives was lifted. On 19 June, the Standing Veterinary Committee gave unanimous approval to our plan to hasten the eradication of BSE. As my right hon. Friend the Prime Minister told the House on 24 June, the European summit at Florence, also unanimously, accepted the framework and procedures put forward by the Commission for lifting the ban, which in turn were based closely on our own proposals.

Mr. Paul Tyler (North Cornwall): Will the Minister give way?

Mrs. Browning: I am sorry, but no.

One important element of the Florence agreement is that all parties agreed that, in future, steps towards lifting the ban would be taken

"only and exclusively on the basis of the public health and objective scientific criteria"

and of the judgment of the Commission. So we now have—

Mr. Tyler *rose—*

Mrs. Browning: No, I am sorry, but I shall not give way.

So we now have a clear framework for lifting the ban. That is most welcome, and shows the way ahead to achieving the objective of lifting the ban, which I am sure is supported by everyone in the House. There are various

[Mrs. Browning]

steps that we must achieve before the ban is removed, and we are working flat out to deliver them. Their successful operation will then be demonstrated to the Commission, which in turn will produce proposals to relax successive elements of the ban. We look to other member states then to fulfil their Florence commitments. I hope that that will meet with the approval of the House. It is important that other states keep their side of the bargain.

There are five main elements in the move towards lifting the ban. The first two constitute the removal of the ban on the export first of beef from certain certified herds, and secondly of calves born after a certain date. We regret that there has been a delay in introducing the certified herds and mature beef scheme, but I hope that we shall not have to wait much longer. SEAC has asked to consider certain aspects of the scheme, and we hope to hear the results before the week is out. When we get the green light from the committee, we shall be ready to go with the scheme as quickly as possible.

We hope to be in a position to tell the Commission that we have met the necessary conditions on those elements by October. We have completed public consultation on the beef assurance scheme, and we shall introduce it as soon as possible. We also need to clear the backlog of animals awaiting slaughter in the 30-months-plus scheme, and to start the accelerated slaughter of cattle especially at risk of developing BSE. We are well advanced with both. By the end of this week, more than 200,000 animals will have come through the 30-months-plus scheme, and we shall issue a paper today beginning a seven-day consultation on the accelerated slaughter scheme.

Removal of the ban in those first two areas would reopen an export market worth initially about £100 million a year, and the value should increase rapidly thereafter as the certified herd scheme gains momentum. Also by October, we look to the Commission to come forward with proposals for relaxing the ban on the export of embryos, subject to the advice of the Standing Veterinary Committee.

The fourth and most significant element is the removal of the ban on the export of meat from all animals under the age of 30 months. That is, of course, the beef that we most readily and enjoyably eat here in Britain. We should be in a position to meet the necessary conditions to lift that element of the ban by November.

It is evident that there are many countries, not only in Europe but all over the world—my hon. Friend the Member for Colne Valley mentioned South Africa—with which we have enjoyed good trading relationships and to which we have exported our excellent beef, sometimes in large amounts, in the past. I welcome the fact that my hon. Friend has brought to the House tangible evidence of other countries' determination to reinstate their imports of British beef.

As my hon. Friend will know, the Prime Minister secured the agreement of the other Heads of Government that the Commission should be required to consider individual requests from third countries to buy British beef exclusively for their domestic markets. We know that not only South Africa but other countries want to do that. In particular, we have been discussing with the South African Government the conditions that would satisfy them so that they would allow British beef to be sold there.

I assure my hon. Friend that the order that he has brought to the attention of the House will immediately become part of the subject matter of those discussions. We shall not rest until we have given the South African Government all the further help they need to reassure them about any elements on which they require further information. I hope that this order will be one of many from countries seeking to re-establish their market with the United Kingdom.

Restoring the beef trade is extremely important, but I cannot give the House assurances about compensation for those people who have had stocks returned from abroad. They will know that Coopers and Lybrand's second report has been published. We are helping those concerned with the disposal of such stocks but, regrettably, I cannot offer compensation in terms of reimbursement.

It is important that we re-establish the sale of British beef, both domestically and abroad. We are doing well in the sale of hindquarters in the UK, and we are pressing on with policies to try to promote the sale of forequarters at home. Equally important is the issue of third-country exports, and I am grateful to my hon. Friend the Member for Colne Valley for bringing this important information and order to the Floor of the House.

Energy Conservation

1.30 pm

Mr. Robert Ainsworth (Coventry, North–East): I am pleased to have the opportunity to raise the subject of the Government's energy conservation programme—the second time I have raised this topic on the Adjournment. The Under–Secretary of State for the Environment, the hon. Member for Croydon, Central (Sir P. Beresford), replied to a similar debate in February 1995.

I am raising the matter again to review the various Government schemes, to point out apparent shortfalls and to seek assurances from the Minister that the Government are still committed to those policies and will continue to work towards achieving their objectives. Last February, the Under-Secretary's reply did not address the figures that I presented, showing shortfalls in most of the Government's targets. Indeed, Peter Smith—the chairman of the Royal Institute of British Architects energy and environment committee—wrote to me to say that he wished that the quality of the questions had been matched by the quality of answers. I am pleased to see the Minister of State in his place, and that gives me more confidence that the issue will be addressed properly this year.

I am also pleased at the timing that I have achieved. For once, I have got it right. The debate is being held on the day the United Kingdom report comes out, and the comments of the Secretary of State have been widely reported in the press. I have provided the Minister with a summary of the points that I intend to make and the questions that I intend to raise, and I look forward to his answers.

First, I wish to examine the progress that has been made in each of the schemes in the climate change programme. No discussion of this programme could proceed without mentioning the Energy Saving Trust. Last year, I pointed out that only 10 per cent. of the trust's originally projected funding was likely to be available, and it expected to make only 10 per cent. of the energy savings—and hence carbon dioxide reductions—that it originally intended to deliver. I tabled parliamentary questions on the matter earlier this year and, sadly, the story has not changed. The trust is underfunded, and is expected to save only 0.3 million tonnes of carbon—a reduction from the original target of 2.5 million tonnes.

This year's figures show that no progress has been made on last year's figures, despite an assurance given in last year's debate that the Government's new powers to contribute to the trust's running costs represented

"an important first step in establishing funding for the trust and the schemes that it brings forward."—[*Official Report*, 17 February 1995; Vol. 254, c. 1314.]

I hope that the Minister can tell us more about some of the schemes.

Last year, I stated that I was pleased that VAT was not raised to 17.5 per cent., as the Government had intended. Apart from breaking their election promises, I felt that the increased fuel poverty that that would bring was totally unacceptable. However, as I said last year, the Government must address the hole that their defeat on VAT has left in the carbon dioxide programme. In addition, how are the promised reductions in prices that the Government are using to sweeten the planned nuclear sell-off expected to affect carbon dioxide emissions? The DTI's annual report on energy states specifically that a 10 per cent. drop in fuel prices tends to lead to an increase in consumption of between 2 and 3 per cent. Do the Government have any programmes to address that?

These two policies were originally intended to provide 40 per cent. of the climate change programme, yet they have not been implemented in full. Consequently, the Government's commitment to energy saving has to be questioned. Energy Paper 65 may claim that we will reach our carbon dioxide targets despite this—something that I still doubt and will address later—but the Government's two main policies to reduce energy usage have not worked. I would like the Minister to admit that, and accept that, if both policies have failed, new ones must be implemented in their place.

It is not just those two policies that have failed. The Government have long said that the public sector should lead the way with energy savings and should demonstrate what can be achieved. Government Departments and health authorities were set a target of reducing energy usage by 15 per cent. in the five years up to 1995-96. Last year, I pointed out that—after four years of the project—things were not looking good.

At that stage, health authorities had delivered only 7.9 per cent. of the savings, and some Departments were not even producing figures. One year on, my prediction that the NHS would fail to meet its target has been borne out. According to a parliamentary answer on 9 January, the 7.9 per cent. savings figure that I quoted last year has been revised to 6.5 per cent. The Minister for Health himself has said that, by 1996, savings are expected to be 8.3 per cent.

Other Departments are not doing much better. By 1993-94—three years into the programme—Departments had achieved only 6 per cent. savings on average. Again, that falls far short of the target. Some Departments have not shown a serious commitment to the targets and, if they are supposed to be setting an example, they are leaving a lot to be desired. It is simply not good enough, and it is not just a case of the public sector setting an example. Energy efficiency measures save money. Why should we be cutting services to reduce Government spending when we could be cutting energy use in the public sector? I hope that the Minister will tell us how he plans to improve performance, and will give an assurance that Departments will take the new targets of 20 per cent. savings between 1990 and 2000 a little more seriously than they took the previous ones.

Last year, I used figures from parliamentary questions to show that progress towards the target of 1,500 MW of new renewable generating capacity was falling behind. The figures showed that 74 MW of new capacity was coming on line each year, against a target of 150 MW. Updated information has shown that this trend has continued. Between the end of 1993 and the end of 1995—the most recent figures available—the rate slowed further, to only 45 MW of new capacity each year. I have been assured that contracts are in place to enable the targets to be reached, and that the rate of new renewable capacity coming on line is increasing. I hope that the Minister can confirm that, and I hope that he will reconfirm the Government's commitment to those targets.

For combined heat and power plant, the target required an average of 300 MW of new capacity each year. Last year, I calculated that the rate so far had been 200 MW. I am pleased to say that, one year on, the situation is

[Mr. Robert Ainsworth]

improving. Last year, 400 MW of combined heat and power came on line, and I hope that the Minister will confirm that the rate of growth of CHP will continue and that the Government are still committed to the target of 5,000 MW by 2000. The rate will need to increase further if the shortfall from earlier years is to be overcome. I will be delighted if the Minister will confirm that that will happen.

Another policy set out in the climate change programme was the improvement in the building regulations, which came in a year late but is now in force. The regulations do not yet apply in Scotland. I know that this is beyond the remit of the Minister, but if he is aware of any plans to extend the regulations across the whole of the United Kingdom, I hope that he will tell us in his reply.

The original climate change programme also claimed that new standards would be introduced for improving the efficiency of domestic appliances by 10 per cent. by 1997 and 40 per cent. by 2000. I have tabled several parliamentary questions on that statement, but have never received an assurance that the 40 per cent. target still exists. I understand that the standards being adopted for fridges and freezers will give a 15 per cent. saving. Further measures are under discussion. Reading between the lines, it appears that the 40 per cent. target has been abandoned. I hope that the Minister can tell us the Government's present thinking on that. If the target is now considered impossible, what energy saving does he expect to be delivered? I look forward to his reply.

I am fully aware that, according to Energy Paper 65, the United Kingdom will manage to achieve the carbon dioxide targets. Last year's debate took place before publication of that paper, and I commented then on the likelihood of it making that claim. The Government increased the prediction of how many gas-fired and nuclear power stations would be on stream by 2000. Those predictions are very optimistic, with a great reliance on elderly Magnox stations and gas-fired stations that have only recently passed the first stage of planning permission.

I am not the only one who sees problems ahead. DRI McGraw-Hill calculated that the United Kingdom's carbon dioxide emissions would increase up to 2000. More recently, stories in the press have shown discrepancies between European Union predictions of emissions in 2000 and those of the International Energy Agency. Interestingly, none of the independent studies casts the United Kingdom's emissions in quite the same light as Energy Paper 65. Predictably, EP65 is far more optimistic than any of the independent reports.

Such discrepancies lead me to believe that our carbon dioxide emissions should be monitored independently, with reports presented in the House. Although I am happy to raise the matter in an Adjournment debate every year, scrutiny should be more rigorous and Ministers should be more accountable for the programme. I hope that the Minister will deal with that in his reply.

I also hope that the Minister will accept that the climate change programme set out to meet the Rio targets should still be carried out. The energy-saving measures that it set out are an important step towards improving energy efficiency. They should be not abandoned, but expanded. I hope that the Minister will confirm that the Government remain committed to the targets set out in the climate change programme.

Having run through a review of the Government's policies, I will suggest how energy efficiency could be promoted. I am firmly of the opinion that our carbon dioxide targets will not be met, so I hope the Minister will take these suggestions seriously. I hope that he will ensure that the Government reduce the rate of value added tax on energy-saving materials. The Paymaster General promised to consider ways to do so on Third Reading of the Finance Bill. The Government narrowly won the vote, but in a recent answer to my hon. Friend the Member for Ealing, Southall (Mr. Khabra), they seemed to be backing away from that promise. That one measure would kick-start sales of energy-saving products, giving the market a much-needed boost. It would also remove the anomaly that was pointed out by the then Chancellor of the Exchequer, the right hon. Member for Kingston upon Thames (Mr. Lamont), that energy saving was taxed at a far higher rate than energy use.

I also welcome the Home Energy Conservation Act 1995, which is now in force. The Minister can do two things to strengthen that Act. First, I hope that he will ensure the speedy passage of the Energy Conservation Bill, which sensibly extends the Act. Secondly, I hope that he will consider local authorities' concerns that the £3 million given to them this year under the new burdens procedure has not been confirmed for future years. That money was to assist local authorities with the preparation of reports under the Act, and its withdrawal will make life difficult for councils. I hope that the Minister can confirm that that extra money will be forthcoming, as I have heard rumblings that the Department of the Environment is trying to withdraw it—rumblings that I hope the Minister will squash in his reply.

The Minister should also reinstate the £31 million removed from the home energy efficiency scheme budget. That was taken despite promises from Ministers that the level of funding was fixed for three years. The removal of that money has restricted the number of houses that can be insulated and will have pretty dismal effects on businesses that had expanded to do the installation work. They had planned to carry out £100 million-worth of spending under the scheme. By reneging on that promise, the Government have left some of them having to lay off staff and sell equipment that is no longer required as demand for work dries up.

The Minister is both knowledgeable and committed to energy efficiency. I was disappointed with the reply to the debate last year and I hope that the hon. Gentleman will shed a little more light on the Government's position and direction than his colleague did last year. In the light of the reports in the press today, I am compelled to say that, if the Secretary of State is going to Geneva to wave the flag on energy conservation in the wider world—I sincerely hope that he will do that—he will not be credible unless he can show a genuine commitment to the domestic policies that are supposed to be in place to honour the commitments that we have already given. Rhetoric is not enough, and it simply will not do.

1.44 pm

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): I congratulate the hon. Member for Coventry, North-East

(Mr. Ainsworth) on once again selecting this subject for discussion. We go back a long way in our interest in it and I certainly welcome the opportunity to exchange views on the subject in this domain as opposed to our previous one. The hon. Gentleman had a long list of questions, a number of demands that would knock holes in the income side of the Government's accounts, and a raft of proposals that would extend expenditure commitments. My eyesight may be failing, but I do not see alongside him any bag of gold provided by his right hon. Friend the Member for Dunfermline, East (Mr. Brown). Judging by the various things the right hon. Gentleman has said, I suspect that the hon. Gentleman does not have much influence with those on the Labour Front Bench.

I can reassure the House that this Government remain whole-heartedly committed to promoting energy efficiency. It is an important issue globally, as the hon. Gentleman and I recognise, and a cornerstone of the United Kingdom's climate change programme and sustainable development strategy.

I am pleased to report that the UK is on target to meet its commitment to return greenhouse gas emissions to 1990 levels by 2000: we expect carbon dioxide emissions to be between 4 and 8 per cent. below 1990 levels. That achievement reflects the impact of the whole package of measures set out in the UK climate change programme.

The hon. Gentleman cited some European data to raise questions. The Commission's estimates would suggest for the EU a 3 per cent. overshoot, but those are econometric projections and take no account of implemented or planned actions to limit or reduce emissions. They are based on modelling exercises, which appear likely to overestimate emissions. Member states' projections are more likely to be accurate than those of the Commission. Moreover, the Commission's approach takes no account of one crucial fact: member states do not simply undertake modelling exercises, but are obliged to take corrective action if, on the basis of actual emission trends and future projections, they consider that they are no longer on course to meet their climate change commitments for 2000.

I do not want to seem to be saying that we are complacent. It is clear that further commitments are needed to combat climate change—not least in the light of the report that my right hon. Friend the Secretary of State published yesterday, reviewing the potential effects of climate change in the UK.

Internationally, the UK is calling on all developed countries to agree a new target to reduce total greenhouse gas emissions to between 5 and 10 per cent. below 1990 levels by 2010—a challenging, but achievable, target that demonstrates the UK's continuing commitment.

Environmental issues, however important, are not the only driver behind energy efficiency. There are real opportunities for British business and domestic customers alike to save money. That has to be a powerful incentive—indeed, it has been described as the win-win scenario. I believe that there is also an important chance for British businesses to improve their environmental image and their competitive position.

No Government could rely entirely on legislation for improved energy efficiency. In some limited cases—for example, building regulations and energy efficiency standards for consumer products to which the hon. Gentleman referred—regulation is an appropriate way to make progress, but in general, Governments need to use a different, and wider, range of tools.

In large part, improved energy efficiency means influencing people's behaviour. We need—and have—a comprehensive package of measures to alert people to all the benefits of energy efficiency; to give them the technical information to decide what to do, and what it is worth to them; and to encourage market forces to operate, so that consumers can invest wisely in energy efficiency improvements.

That approach is fully in line with our deregulation initiative, which is not about "tearing up regulations" but about avoiding inappropriate regulations in the first place. It may be harder work for the Government to operate information and publicity campaigns than to make regulations, but I believe that it is more effective, and cheaper for those affected.

We provide a wide range of information for all types of consumers. In particular, we provide detailed technical information on energy efficiency technologies and their potential to generate energy and money savings. That information, which is generated by the energy efficiency best practice programme, is directly applicable to "energy professionals"—architects, process managers, building services people, and so on. It also helps us to develop our own policy.

The best practice programme is highly effective. Our research shows that, by December 1995, it was stimulating investment by business to generate energy savings worth some £450 million a year, at a cost to the Government of less than £20 million a year. That is a pretty good gearing ratio and is well on course to meet the programme's target of generating £800 million a year in savings by the year 2000.

For business, we believe it is important that senior management should take the lead by taking responsibility for energy efficiency. All the signs are that an energy-efficient business is a well-managed and therefore competitive and successful business. Certainly, the energy management performance of signatories to our Making a Corporate Commitment campaign is significantly better than that of non-participants. The hon. Member for Coventry, North–East might like to know that I am persuading those who are committed to running seminars for their supply chain to get the message back down the line. That is an effective way of doing it, because, if one's biggest customer says that that is something one should do, one takes more notice.

It is not enough for us to badger consumers. As the hon. Gentleman said, the Government also need to take a lead on energy efficiency. We have set specific targets for the Government estate—a 15 per cent. improvement by March 1996. The latest figures we have published, for 1993-94, show a 6 per cent. improvement over 1990-91. That is good progress, because one faces other problems in terms of increasing demands for energy—for example, through increasing reliance on office machinery. That, in turn, is a challenge for the manufacturers of computers and other equipment. They must try to improve energy efficiency. There is also the need for the right ambience, which is a problem in energy consumption.

I hope to publish the figures for 1994-95 shortly. We are currently discussing what further targets should be set for the period up to 2000. Progress continues to be reviewed at regular meetings of Departments' Green Ministers.

[Mr. Robert B. Jones]

The Government are also taking the lead in new and more energy-efficient ways of supplying consumer needs. We are widely promoting combined heat and power, in the public and private sectors, and setting an example by installing it in Government property: for example—I do not know whether the hon. Gentleman is aware of this—in the Whitehall district heating scheme, and in my Department's new headquarters.

We set a target, in the climate change programme, of 5,000 MW of installed CHP capacity by the year 2000. We have already achieved a total installed capacity of about 3,500 MW—5 per cent. of United Kingdom electricity generation—on around 1,300 sites.

To take that further, our UK strategy for combined heat and power was launched a few days ago. That is intended for a broad audience, including both the wider public sector as well as industry. It records what we are doing to achieve our target, sets out our plans, and makes clear the wider context in which our policy is operating.

In general, we believe that, since investment in energy efficiency is highly cost-effective for consumers, with short payback periods, Government money should not be used directly to fund energy efficiency improvements. However, there are some areas where we are satisfied that Government funding is justified to overcome barriers to energy efficiency.

The home energy efficiency scheme is an important way of helping the fuel poor—those who cannot readily afford to make home improvements—by providing advice and grants for insulation and draught-proofing. It improves living conditions, and helps to save energy.

We are continuing to refine the scheme, to ensure that it is targeted to where it can do most good. That is why, although we were not able to maintain the budget for HEES last autumn, we ensured that grants would continue to be available, in full, to those in the greatest need.

We recently issued a consultation paper on ways of developing HEES. Our intention is to increase choice for eligible householders, by making the scheme less prescriptive and more flexible. We can do that by linking the grant-aided measures available more closely to the energy standards of people's homes. HEES is already good value for money, and we want to continue to secure the maximum benefit for every pound spent, whether the benefit is expressed in economic, social or environmental terms.

The Government are not the only player in relation to energy efficiency. We are also working to encourage others. The hon. Gentleman cited the Energy Saving Trust, which, in particular, represents an important partnership between energy suppliers, the energy efficiency industry and the Government, in promoting energy efficiency, recognising that all those parties have a role to play. The trust is a catalyst for the promotion of energy efficiency, with the aim of bringing about self-sustaining markets for energy-efficient goods and services, particularly in the developing competitive energy markets.

The role of the trust has continued to evolve. The Government are now providing funding of up to £50 million from 1996 to 1999 to enable the trust to develop a programme of work, to assist the market to work in the interests of customers. A key feature is the development of partnerships which will bring in funding from third parties: Government money being used to maximum advantage, to kick-start initiatives which should become self-financing. I am pleased to say that the work programme, launched in April, is developing well, and will continue to contribute to further savings in carbon dioxide emissions.

The hon. Gentleman referred to the private Member's Bill introduced by the hon. Member for Nottingham, South (Mr. Simpson) to amend the Home Energy Conservation Act 1995, in particular to add houses in multiple occupation to the definition of residential accommodation, and thus require local authorities to identify and report on energy conservation measures for such houses too. The hon. Gentleman will know that the Government support that Bill, and I am glad that it is making good progress.

The hon. Gentleman referred to VAT. He will know that that subject has been raised on a number of occasions with my right hon. and learned Friend the Chancellor. The Government's long-standing policy is one of a simple taxation system, with just the standard rate of VAT operating in conjunction with the zero rate. The 8 per cent. reduced rate for domestic fuel and power is the exception. Long-term retention of that, as the hon. Gentleman will know, was not of the Government's choosing. I understand that my right hon. and learned Friend has no intention of extending that unique reduced rate to other areas of spending.

My right hon. Friend the Paymaster General has set out the Government's view that, notwithstanding all the arguments made by the energy efficiency industry, it would be difficult to set a special rate for energy-saving products. To try to do so might well achieve little and would certainly complicate the operation and administration of the tax. There seems little doubt that it would give rise to disputes about the energy-efficient qualities of various products—about the boundaries between those goods and services that should and should not be included.

The hon. Gentleman asked about the costs to local authorities of implementing the Home Energy Conservation Act 1995. The specific new duty on local authorities is to prepare one energy conservation report covering relevant properties in their area, and £3 million has been made available for that purpose under the new burdens procedure.

Future work under the Act will take the form of updates to energy conservation reports. That will form part of the existing housing investment programme process, which is, of course, an exercise that local authorities already have to go through and are well geared up to carry out. The alignment of the process with HIP was specifically designed to minimise the extra work for them.

The new burdens procedure is designed to meet the cost of new activities, but it does not involve new money. Specifically, it means that, within the Department of the Environment's budgets, if we were to agree to providing further resources to local authorities in relation to the Act, it could come about only by our finding savings elsewhere within the energy efficiency budget. We can only switch resources from one programme to another.

I am grateful that the hon. Gentleman has not sought to challenge the actions we are taking to improve energy efficiency. He has suggested a number of ways in which

he believes that we should do more and said that more resources should be committed to it. I have to say that, however much I might agree with him in principle, budgets are not unlimited. One of the hard jobs of being in government is to make difficult decisions about conflicting priorities.

We remain fully committed to tight control of public expenditure, and spending on energy efficiency has to compete with a wide range of other priorities. We have to make judgments about what is affordable. We have some scope for redeploying uncommitted resources among different parts of my Department's programme, but new resources can only be sought via the annual public expenditure survey discussions.

I recognise the hon. Gentleman's concern about the reduction in the HEES budget, but I can only say that future levels of funding have to be determined annually, via the public expenditure survey.

The hon. Gentleman has raised many issues and has expected me to compress my answers into a short time. This is an important subject and I welcome the hon. Gentleman's commitment to it. He should rest assured that the Government in general, and I in particular, remain as committed as ever.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

PRIVATE BUSINESS

London Local Authorities Bill *[Lords]*

Read a Second time, and committed.

Oral Answers to Questions

SCOTLAND

Inward Investment

2. **Mr. Stewart:** To ask the Secretary of State for Scotland what is his latest estimate of the level of inward investment into Scotland; and if he will make a statement. [34170]

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): In the year to March 1996, Locate in Scotland and the Scottish Office Education and Industry Department helped to attract 84 inward investment projects to Scotland involving planned investment of nearly £1 billion and the expected creation or safeguarding of a record 12,560 jobs.

Mr. Stewart: Is not the Government's outstanding record on inward investment, about which we have just heard, due in large measure to consistency of policy and the ability of my hon. Friend and his colleagues to make decisions about Scotland in Scotland? What does he think would happen if the present Scottish Office team were replaced by a bunch of puppets who would do every U-turn at the behest and whim of Islington spin doctors?

Mr. Kynoch: There is no doubt that my hon. Friend is correct in saying that speedy decision-making is critical in the process of attracting inward investment. Equally, it is critical to ensure that we have the right business environment in which inward and indigenous investors can thrive. The one thing that is absolutely certain is that the Opposition's proposal for a tartan tax in Scotland, whether by referendum or otherwise, whereby Scotland will be taxed at a higher rate than the rest of the United Kingdom, is bound to influence inward and indigenous investors.

Mr. Norman Hogg: Although the Minister has little experience of success in business, would he care to comment on Professor Hood's statement that a Scottish Parliament would have no impact at all on inward investment to Scotland?

Mr. Kynoch: The hon. Gentleman is an expert in acrobatics, supporting something which in the past he was against. Tax is bound to be an important element in any equation for a potential inward investor, and if the taxation rate in Scotland were higher than that in the rest of the United Kingdom, and if other Opposition policies were brought into being, such as the social chapter or the minimum wage, that would all contribute towards a reduction in inward investment and in investment in Scotland, and that would be bad news for Scotland.

Mr. Bill Walker: Does my hon. Friend agree that, when overseas companies consider inward investment into Scotland, one of the factors they have to consider is political stability—the fact that Scots can be Prime Ministers, Foreign Secretaries and Home Secretaries and can occupy any Front-Bench post—and the fact that the Government have no plans to put all that at risk with madcap policies that are unworkable, unsaleable in England and dangerous for the United Kingdom's unity?

Mr. Kynoch: My hon. Friend is right. I am sure that he will have read in *The Sunday Times* an article concerning an Edinburgh fund management company, Stewart Ivory, which has already said that the uncertainty caused by the fear of a tartan tax in Scotland has been sufficient to persuade investors from south of the border not to invest in Scotland. I am sure that that view is alive in business, but it is one on which the Opposition seem slow to pick up.

Mr. Wallace: Does the Minister accept that perhaps the most important attraction for inward investment is the access that locating in Scotland gives to markets in the European Union, and that incalculable harm may be done to that if the Conservative party continues its anti-European rhetoric and if his right hon. Friend the Secretary of State makes petty points about flying European flags and sits on the Treasury Bench giving tacit encouragement to Conservative Back Benchers introducing Bills to dissociate us from the European Court of Justice?

Mr. Kynoch: I understand that the hon. Gentleman supports the introduction of a social chapter. That would be incredibly damaging for United Kingdom business, and particularly for Scottish business. The minimum wage would also be counter-productive. The hon. Gentleman's party is rather more honest and straightforward than the official Opposition, as it apparently does not need a referendum to tell the people of Scotland that it believes that taxation in Scotland should be increased beyond that of the rest of the United Kingdom, which would definitely be counter-productive for business in Scotland and for inward investment into Scotland.

Mr. Sykes: My company used to have a factory in Glasgow and a depot in Edinburgh, and they were successful enterprises up there, but if we had had a minimum wage, the social chapter, the 48-hour week, the tartan tax and a Scottish Parliament, we would have had to close both down and withdraw back to England.

Mr. Kynoch: I am pleased to hear that; it is confirmation of the message that I have been getting from the many businesses around the country that I visit. Indeed, if the hon. Gentleman had read *The Scotsman*, he would have seen an article about Scottish and Newcastle plc, whose chief executive, Brian Stewart, has indicated that devolution for Scotland would be "bad and disruptive commercially." That is a view with which I am sure my hon. Friend agrees.

Mr. McFall: I challenge the hon. Member for Eastwood (Mr. Stewart) outwith the Chamber to call me a puppet. The puppets are there, on the Government Front Bench, who are allowing their colleagues in England to try to absorb Locate in Scotland into Invest in Britain. Will the Minister fight on that? Does he not realise that companies such as Quintiles and Chunghwa have said that devolution and the tartan tax threat played no part in their decision to locate in Scotland, but that what did play a

part was a good, educated and trained work force, the product of good local Labour authorities, a tradition that we shall continue with a Scottish Parliament?

Mr. Kynoch: It is interesting to see how touchy the hon. Gentleman is, but I am not surprised: if I were on the Opposition Front Bench and had to undertake the U-turn that they have had to undertake in the past week at the instigation of their master south of the border, I, too, would be rather touchy about such a comment.

The hon. Gentleman referred to two inward investors—Chungwa and Quintiles. He is probably referring to an answer given by Quintiles in an interview with the BBC, in which it announced its inward investment. I was there, whereas the hon. Gentleman was not. It clearly said that devolution was not the main issue and that tax was only an element. For a company such as Quintiles, and the business that it is in, it is rather more appropriate for it to be near higher education of a high standard. That is the important element for it.

For others, taxation is a very important element, as is competitiveness. The hon. Gentleman and his party do not understand what competitiveness is all about. He advocates policies—the tartan tax, the social chapter or any of the other taxation measures that have been talked about—that would be bad for business in Scotland.

Public Expenditure

3. **Mr. David Shaw:** To ask the Secretary of State for Scotland if he will make a statement on levels of public expenditure in Scotland. [34171]

The Secretary of State for Scotland (Mr. Michael Forsyth): Public expenditure in areas for which I am responsible in Scotland is more than 35 per cent. higher per head of population than on the equivalent services in England.

Mr. Shaw: Can my right hon. Friend tell me what would be the impact of a Scottish Parliament on public expenditure? Would current public expenditure in Scotland be sustainable without a tartan tax, or is a tartan tax inevitable if there is a Scottish Parliament?

Mr. Forsyth: The present arrangements ensure that Scotland has about 35 per cent. more per head of population than England. Local government, for example, gets 45 per cent. more per head of population in grant than England. If a Scottish Parliament were to be established, as the constitutional unit has pointed out, there would have to be some assessment of a formula to determine the expenditure of the Scottish Parliament, which would still be decided in Westminster, where the office of Secretary of State would no longer have any meaning—if, indeed, it was in existence—and where the number of Scottish Members of Parliament would be reduced. That seems to me to be putting at risk the health service, the education service and the caring services in Scotland, but the Labour party is prepared to do that because it puts its politics and its party before the interests of its country.

Mr. Canavan: Will the Secretary of State point out to the hon. Member for Dover (Mr. Shaw) that if we take into account public expenditure on, for instance, the civil service, Ministry of Defence contracts and London Transport, public expenditure per capita in London and the rest of the south-east is greater than it is in Scotland? Public expenditure should be distributed throughout the United Kingdom on the basis of need rather than the mythology propagated by the hon. Member for Dover.

Mr. Forsyth: The hon. Gentleman will forgive me if I do not agree that it should be distributed solely on the basis of need. A recent "Social Trends" survey showed that Scotland enjoys a standard of living unequalled in any other part of the United Kingdom except the south-east of England. As for his point about London, the public expenditure figures for Glasgow are even higher than those in England, but that is not a fair test. The hon. Gentleman must get his mind around the fact that public expenditure in Scotland greatly exceeds the revenue raised there. If he favours a separate parliament raising its own revenues, he must accept that we would either have to pay high tartan taxes or allow our services to be decimated. In fact, we would have to do both.

Sir Hector Monro: In a year involving an exceptionally difficult financial settlement, my right hon. Friend did a magnificent job in maintaining a high level of block grant from the Treasury. What does he think would happen if there were no Secretary of State to fight for Scotland, which is what Labour proposes?

Mr. Forsyth: I can hardly disagree with my right hon. Friend's flattering comments, but in any event he has made an important point which transcends party interests and is important to Scotland. The office of Secretary of State for Scotland is powerful in relation to Scotland and its interests. *[Interruption.]* I am sorry that the hon. Member for Fife, Central (Mr. McLeish) does not think that that is the case. He should cast his mind back to Willie Ross and other Secretaries of State for Scotland who have done a tremendous job in fighting for Scotland's interests. The hon. Gentleman would toss that aside for a pigmy parliament in Edinburgh.

Mr. Chisholm: Can the Secretary of State confirm that the principle of the Barnett formula, which determined the level of public expenditure in Scotland in relation to expenditure in the rest of the United Kingdom, has never been called into question in any of the last 17 years by Lady Thatcher, the right hon. Member for Enfield, Southgate (Mr. Portillo) or any other Conservative politician hellbent on slashing public expenditure? Is the Conservative party now saying that Scotland gets more than its fair share, or is it simply punishing Scotland because it wants a greater say in its own affairs?

Mr. Forsyth: I welcome the hon. Gentleman to his Front-Bench responsibilities. I understand that he has been put in charge of the referendum campaign in the unfortunate event of a Labour Government; I hope that he will show the same enthusiasm for a "no" vote as he did on the last occasion.

I do not wish to embarrass the hon. Gentleman further on his first day out, but when he has an opportunity to examine his brief he will discover that the Barnett formula—which gives us our share, relative to population, of any increase in English expenditure—brings Scottish

and English expenditure into line. He is advocating bringing Scottish expenditure into line with English expenditure, which must mean a tartan tax.

The point is that the existing level of expenditure has been agreed, and is historically there. If we had a parliament whose funding was determined down here, there would have to be some kind of assessment of need. I can tell the hon. Gentleman that many people in the Treasury will be delighted to hear his words, but they are not words that will ever come from the Conservative party, because we stand for Scotland's interests.

Mr. Dunn: Given that there is a link between Government income and public expenditure, will the Secretary of State confirm that we have no plans to tax 16 to 18-year-old students, to impose an employment tax or a tartan tax and, more significant for rural dwellers in Scotland, to tax the motorist?

Mr. Forsyth: I agree entirely with my hon. Friend. I am proud of our record in Scotland in sending youngsters from school to higher and further education. Far more youngsters are doing that. That is one of the reasons why we commit far more resources in the settlement that we were able to achieve last year and in previous years. I can think of nothing more disastrous than a tartan tax and a teen tax, which would remove child benefit from children over the age of 16 still in higher education, as Labour Members wish to do. That would hit Scotland harder than any other part of the United Kingdom because more of our youngsters seek the opportunity of higher and further education.

Council Housing

4. **Mr. Menzies Campbell:** To ask the Secretary of State for Scotland if he will make a statement about expenditure on local authority housing in Fife. [34172]

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): Fife's capital allocation for 1996-97 for investment in local authority housing totals £15.5 million. It is for the council to determine its expenditure priorities.

Mr. Campbell: Does the Minister accept that that is a deeply disappointing answer to the many needy and anxious people who come to me and to other Fife Members of Parliament seeking council housing? Is he aware that the result of Government policy will be a 70 per cent. reduction in council house expenditure in real terms between 1988 and 1998? How can Fife council provide housing for people who need it and for people in north-east Fife who desperately need it?

Mr. Robertson: Fife council can provide housing if it examines imaginatively, realistically and positively the proposals for stock transfers. In that way, it will be able to access significant new sums for investment throughout Fife, particularly in the hon. and learned Gentleman's constituency. If he is so concerned, I ask him to get in touch with Fife council as a matter of priority. I offer him the support of my officials to discuss the issue with the council to enable it to put together a package that will achieve the investment levels that he wants.

5. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland if he will make a statement on the change in council house expenditure and planned expenditure in real terms between 1989–90 and 1998–99. [34173]

Mr. Raymond S. Robertson: Planned net provision in 1998-99 for capital expenditure by local authorities on their own stock is £167 million at 1995-96 prices, compared with £208 million in 1989-90 on the same basis.

Mr. Ross: Given that council house investment declined by 32 per cent. throughout Scotland and by 43 per cent. in Dundee in 1989-1995, and that homelessness is at near record levels, will the Minister follow the recommendation of the Environment Select Committee and set up a comprehensive review of housing need in Scotland?

Mr. Robertson: I remind the hon. Gentleman that provision in Scotland for local authority housing is 25 per cent. higher than in England. All that would be put at risk with a tax-raising Scottish Parliament. Does the hon. Gentleman believe that this House would continue to vote for such substantial sums of money to go to Scottish housing with a tax-raising parliament sitting in Edinburgh?

Mr. Malcolm Bruce: Will the Minister acknowledge that he is telling councils, including Aberdeenshire council, that they must transfer council tenants to private landlords or suffer a drop in capital allocation? In Aberdeenshire, where there is no evidence of anyone willing to take over and where no tenant wishes to be transferred, is that not an unfair penalty which will simply increase the problems of homelessness which have been growing in the north-east in the past 10 years?

Mr. Robertson: The hon. Gentleman is wrong. Capital allocations do not depend on stock transfers. I am saying to the hon. Gentleman, his council and every other council that, if they want to increase substantially investment in social housing in their regions, there is a means to do it and we will do all that we can to help them to do it, but if he is so blinkered by ideology that he will not recognise that, he must answer to his constituents.

Mr. Ian Bruce: What is the position on vacancies in local authority housing in Scotland? Is it similar to that revealed in the written answer that I received yesterday from the Department of the Environment, which said that a high number of private houses are vacant and that, with low inflation and low interest rates, there has never been a better chance for young people to buy a house? Surely the Government are giving such encouragement and we do not want to trap people in local authority houses for the rest of their lives.

Mr. Robertson: My hon. Friend makes a valid point and draws a pertinent comparison with England. I have encouraged local authorities to make use of their vacant

properties and will continue to do so, because while properties remain empty they are of no value to anyone—especially families who are desperate for housing.

Mr. Michael J. Martin: There were vacancies in the multi-storey block of flats that the Minister visited in Sighthill in my constituency, but when the concierge system was introduced there was great demand for those flats. Will the Minister co-operate with local authorities to introduce concierge systems for multi-storey dwellings as quickly as possible? People are entitled to peace and quiet in their homes and to be free from vandalism.

Mr. Robertson: I was most impressed by the housing in the hon. Gentleman's constituency and by the positive response of tenants to the concierge arrangements and to the closed circuit television systems in the hon. Gentleman's constituency and in that of the hon. Member for Dundee, West (Mr. Ross). There is no doubt that that is the way forward, which is why my right hon. Friend the Secretary of State is making substantial sums available for similar systems throughout Scotland. I look forward to visiting many more estates so equipped throughout Scotland during my next two or three years in this job.

Business Rate

6. **Mr. Gallie:** To ask the Secretary of State for Scotland what representations he has received on returning the setting of business rate poundage to local authorities; and if he will he make a statement. [34174]

Mr. Kynoch: The Labour party is committed to returning responsibility for the setting of business rates to local authorities.

Mr. Gallie: Does my hon. Friend agree that the drive to a uniform business rate has been at the behest of commerce and industry in Scotland—the job creators? Does my hon. Friend further agree that the abandonment of the uniform business rate would mean job losses and company bankruptcies? That would be the Labour loss for Scotland.

Mr. Kynoch: My hon. Friend is right. Anything that affects the competitiveness of Scottish business would be bad for it and bad for employment in Scotland. Under the uniform business rate, companies have saved £1.4 billion in the five years since 1990. Returning the rate to local authority control would cost Scottish business. Coupled with the tartan tax proposed by Labour, it is no wonder that the new chairman of the Scottish chambers of commerce has stated that such a proposal is utter folly.

Mrs. Fyfe: Why should a Scottish parliament have less control over financial affairs than the smallest district council in Scotland?

Mr. Kynoch: As I understand Labour's proposals, a Scottish parliament would be responsible for raising tax. A Scottish parliament would be funded from south of the border and it is likely, according to the constitution unit, that such a parliament would have to raise taxes or make a significant reduction in services. Tax increases, coupled with any uniform business rate increase, would make Scottish business less competitive. The hon. Lady does not understand the competitive situation of Scottish business. The sooner she does, the better for Scottish business and the Scottish economy.

Mrs. Ewing: I realise that the Minister is trying desperately to embarrass the Opposition parties, but does he agree that the uniform business rate, because of the valuation arrangements, means that small and medium-sized Scottish enterprises have been paying £1,200 million per annum more than their English counterparts? Should not that difference be immediately eradicated? It is very much a London levy.

Mr. Kynoch: As the hon. Lady knows, the valuation system is now harmonised north and south of the border.

Mrs. Ewing *indicated dissent.*

Mr. Kynoch: The hon. Lady shakes her head. I have said on more than one occasion that if anyone can find positive evidence that the system is not harmonised, I shall be happy for the assessors to examine the situation. One problem is that local authorities in Scotland spend 30 per cent. more per head of population than their counterparts south of the border and must therefore be funded to that extent. We have achieved the level playing field north and south of the border that Scottish business wants, and it has welcomed that development. Even the Federation of Small Businesses has said that it does not want the departure from the uniform business rate that the Opposition parties are proposing.

Mr. John Marshall: Does my hon. Friend agree that getting rid of the uniform business rate would be very unfair on business, which would have no say over expenditure by the local council? Is not the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) to be congratulated on admitting that a Labour-controlled council and a Labour Scottish Parliament would like to spend more and tax more?

Mr. Kynoch: Yes, my hon. Friend is right. The Opposition, and particularly the Labour party, are intent on trying to find back-door ways of raising taxation so that they can spend even more. At this year's local authority budget setting, one member of the Labour party—the hon. Member for Dundee, East (Mr. McAllion), who seems to be able to stick to his guns—called for an extra £395 million to be spent by local authorities. That money must come from somewhere. I suspect that the Opposition are considering all types of routes to find it, including returning control of the uniform business rate to local authorities and, of course, implementing the proposal for a tartan tax.

Mr. Kirkwood: May I focus the Minister's attention on the problems faced by small retail businesses in market towns across the length and breadth of Scotland? Irrespective of whatever changes there have been and whoever is levying the tax, there are real problems for small family businesses in market town high streets. Will the Minister examine the factors involved in levying rates to determine whether some element of the social and economic context faced by small businesses can be taken into account when setting the assessments on which they pay rates?

Mr. Kynoch: The hon. Gentleman will be aware that we are currently consulting on village shops to try to help local post offices and shops in rural areas. As a part of harmonising the situation north and south of the border, rating authorities may now remit any rate in cases in which ratepayers would otherwise suffer hardship or in which it is in the interest of council taxpayers to do so. So there is some flexibility in the hands of the councils.

University Funding

7. **Mr. Ingram:** To ask the Secretary of State for Scotland what representations he has received from the Committee of Scottish Higher Education Principals on the funding of Scottish universities. [34176]

Mr. Raymond S. Robertson: My right hon. Friend the Secretary of State discussed funding with Scottish higher education principals when he addressed their annual forum dinner late last month.

Mr. Ingram: Has not the Committee of Scottish Higher Education Principals warned the Government that there is a funding crisis in Scottish universities? Does the Minister agree that a strong science and research base in our universities is essential for a strong manufacturing economy? If so, why have the Government continued to underfund and undermine our university base to the extent that we now face a funding crisis, and 1,000 university staff are threatened with the sack?

Mr. Robertson: Of course I agree with the hon. Gentleman that a sound scientific base is essential for a strong manufacturing bases. That is why Scotland's work force has been transformed in recent years and why the proportion of 25 to 29-year-olds with higher education qualifications living in Scotland has nearly doubled in the past 10 years—from 12.6 per cent to 23 per cent.

Mr. Tracey: Will my hon. Friend confirm that there are record numbers of students in higher education in Scotland? Can he tell the House what effect a tax-raising Scottish parliament would have on education expenditure, which is currently subsidised by taxes raised in London and in the rest of England?

Mr. Robertson: My hon. Friend is absolutely right: more young Scots are in higher education than ever before in our nation's history. Spending on higher education per student in Scotland is 31 per cent. higher than it is in England. Those sums would not be available for our universities with a tax-raising Scottish Parliament.

Mr. Welsh: Is the Minister aware of rising student drop-out rates—currently 17 per cent.—while student debt, on average, is 50 per cent. up on last year? Why are the Government encouraging more people to go to universities while penalising them with spiralling debt and underfunded universities and now with talk of a £500 entrance fee?

Mr. Robertson: The Scotland that the hon. Gentleman lives in is not the Scotland that I or Scottish students live in. We have more young people at university than ever before, and a higher proportion of those are from less well-off backgrounds than ever before. That is a record to be proud of, and the hon. Gentleman does his party and his country no good in trying to talk down what is happening.

Mr. Macdonald: Will the Minister join me in congratulating Lews Castle college in my constituency on developing a new university-status degree course, the first such course to be developed in the highlands and islands network? Will he welcome this important step towards achieving the goal of a highlands and islands university?

Mr. Robertson: Yes, absolutely. I commend the college and congratulate the hon. Gentleman on the way in which he has doggedly pursued the issue. We have lifted the capping on further education students in the highlands and islands as, we hope, a precursor to the establishment of a full university in the highlands and islands, which is being vigorously backed by my right hon. Friend.

Mrs. Liddell: Why is the Minister ignoring representations from Scotland's university principals, who have already made it clear that they envisage the possibility of top-up entry fees to universities? Is he not ashamed of the fact that Government policy could lead to a return to the situation in which only the children of the rich get the benefit of a university degree?

Mr. Robertson: As I said in reply to a previous question, more people from less well-off backgrounds are attending university than ever before. We will take no lectures from the hon. Lady. Since the Labour party was last in government, student numbers have doubled, spending has increased by 30 per cent. in real terms and, above all, spending is 31 per cent. higher in Scotland than in England. Does the hon. Lady really believe that that would be sustained if her party had its way?

Mr. Beggs: Does the Minister accept that the excellent reputation of Scottish universities attracts many students from Northern Ireland, which is why my right hon. and hon. Friends who represent Northern Ireland constituencies are concerned about any crisis in funding for Scottish universities? Will he consider meeting his counterparts who represent English, Welsh and Northern Irish universities and making a joint representation for additional funding, bearing in mind that all universities are crying out for additional funds?

Mr. Robertson: My right hon. Friend has considerable freedom with the block given to him by the Treasury. Last time around, local government—unfortunately, in my opinion—took a bigger share of it than higher education. However, my right hon. Friend has met principals in Scotland, and their representations will be fed in when we discuss the allocation of next year's block.

Temazepam

8. **Mrs. Adams:** To ask the Secretary of State for Scotland what assessment he has made of the impact of the measures that he has introduced to control the use of temazepam. [34178]

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): The measures introduced earlier this year have had the beneficial effect of reducing the illicit supply of temazepam.

Mrs. Adams: I am extremely grateful for the measures that were taken earlier this year and I have noticed a significant reduction in the use of temazepam in my constituency, but there has been no significant reduction in the overall use of drugs. When will the Government recognise that only by tackling bad housing, high unemployment and the lack of hope among young people will we be able to tackle the drugs problem?

Lord James Douglas-Hamilton: The hon. Lady raises a general issue that we have been tackling through our urban regeneration and urban aid programme, which will provide more than £86 million this year. Her constituency benefits substantially from that assistance. We want not only an integrated approach for the various services in areas of deprivation but to take every reasonable measure possible against the scourge of drug abuse.

Mr. Connarty: I share the concern about the use of class A drugs, but is the Minister aware that the retail industry, whose representatives gathered at a conference two weeks ago to be addressed by my hon. Friend the Member for Dumbarton (Mr. McFall), is worried about drunkenness in the streets, which leads to massive retail crime, the abuse of shop assistants and trouble in neighbourhoods? When will the Minister make a proposal to ban drinking in the street before the summer turns once again into a wild west show as people wander around Scotland's communities and high streets, drinking spirits and causing mayhem among the general public?

Lord James Douglas-Hamilton: The hon. Gentleman will be aware that we are encouraging local authorities to propose byelaws but, in addition, the White Paper specifies that we favour the proposal to confiscate drink in public places from those who are under age.

East of Scotland Water Authority

9. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland how much money from the Government has been allocated for capital projects to the East of Scotland water authority. [34179]

Mr. Kynoch: No specific allocation is made for capital expenditure. The external financing limit for 1996-97 has been set at £87 million.

Mr. Clarke: I thank the Minister for that answer. Is he aware that the delay in upgrading the Esk valley sewer is delaying developments in Midlothian? Will he, with others, provide cash to the East of Scotland water authority to allow it to upgrade that sewer?

Mr. Kynoch: I understand the hon. Gentleman's concern about delays on the Esk valley sewer. He should, of course, have addressed his comments to the former Labour-controlled Lothian regional council. The new East of Scotland water authority, within weeks of taking over responsibility, has initiated a private finance initiative scheme for the sewer. It is hoped that tender documents will be issued this month, and I hope very much that work will commence by July 1998. The project is going ahead, utilising the private finance initiative, very much more quickly than it would have done under the former Lothian regional council.

Mr. George Robertson: May I remind the Minister that the East of Scotland water authority, the super-quango that has taken water functions in the east of Scotland from locally elected local government, was created in the face of a referendum in Strathclyde that showed that 97 per cent. of people opposed handing water over to the new super-quango? Will the Government recognise that they cannot demand that referendums are held on major issues and then, with the cavalier, arrogant attitude for which they have become famous, dismiss out of hand the views of the people who have had the chance to express their view through that vote?

Mr. Kynoch: The hon. Gentleman, I know, is a recent convert to referendums—at the instigation, I understand, of those in his party from further south. What he has not yet fully understood is that he is talking about a referendum in Strathclyde on privatisation of the water authority. We now have three manageable water authorities, which are tackling the difficult problems of providing adequate facilities for water treatment and sewage.

The hon. Member for Midlothian (Mr. Clarke) asked about the Esk valley sewage scheme. Without the private finance initiative, that scheme would not go forward as quickly as it is doing. I commend the new water authorities and I believe that the consumers of Scotland welcome the fact that they are getting these facilities under this Government, whereas if Labour was in power they might have to wait for a long, long time or pay even higher tartan taxes.

Scottish Grand Committee

10. **Mr. Michael Brown:** To ask the Secretary of State for Scotland how many meetings of the Scottish Grand Committee he has attended as Secretary of State for Scotland. [34180]

Mr. Michael Forsyth: I shall attend my 14th sitting of the Scottish Grand Committee this Friday in Dumfries, when we shall discuss the constitution; my right hon. Friend the Prime Minister will attend. This sitting replaces the one that was postponed following the Dunblane tragedy. I am sure that the whole House welcomes the fact that the Snowdrop petition, which has attracted 750,000 signatures, will be presented by the hon. Member for Clackmannan (Mr. O'Neill) to the House later today. I have no doubt that the House and future sittings of the Grand Committee will want to consider the issues raised.

Mr. Brown: My right hon. Friend has spoken of the importance of the Scottish Grand Committee. In view of the weakening of Labour's commitment to a Scottish Parliament with tax-raising powers, what would be the difference between the Scottish Grand Committee and a Scottish parliament with no powers to raise tax?

Mr. Forsyth: If we were ever unfortunate enough to have a Labour Government, a Scottish Grand Committee with a Labour majority on it, using the new powers to pass legislation, would be able to do everything that a Scottish parliament could do and more, including holding to account the Prime Minister, the Chancellor, who would determine Scotland's funding, and other Ministers from both Houses of Parliament. The one thing that a Scottish Grand Committee could never do is lead to the break-up of the United Kingdom or impose a tartan tax on the Scottish people. Such a tax would mean that people earning the same wage in Scotland had smaller pay packets than those in England. That is wrong in principle and will be recognised as such throughout Scotland.

Mr. Wray: Is the Secretary of State for Scotland willing to put the subject of nuclear waste dumping in Scotland on the agenda at the next sitting of the Scottish Grand Committee? I know that he is an environmentalist—I have seen him protecting the environment by cuddling a lamb in the local rag of Milton Buchanan—so I hope that he recalls what happened when an explosion involving 2 kg of sodium and potassium in 1977 was not reported until 1995. Will he hold an emergency debate?

Mr. Forsyth: The whole point of the Scottish Grand Committee is that it provides an opportunity for hon. Members to call the Executive to account on matters affecting Scotland. Perhaps the hon. Gentleman should discuss the possibility of a debate with his Front Benchers. I see no reason why the Scottish Grand Committee should not debate it, and I agree that is it a very important subject. If that happens, it may prove to be one sitting of the Scottish Grand Committee at which the hon. Gentleman does not complain afterwards that it turned out to be a press conference for the Government.

Mr. Bill Walker: Will my right hon. Friend confirm that any party with a majority of Members from Scotland on the Scottish Grand Committee can enact the most controversial legislation dealing with all aspects of Scottish life and that there is no need whatever to spend any additional funds on the creation of a new Scottish parliament? Therefore, it makes no sense for the Opposition to propose additional public expenditure when the Scottish Grand Committee can do everything that they require.

Mr. Forsyth: I agree with my hon. Friend. Of course, there are costs involved in establishing a Scottish parliament, which would cost about £45 million a year to run thereafter. That would have to be paid by the Scottish people and the money could be better spent on other matters. The real danger is not just the cost, but the conflict with Westminster and the break-up of the United Kingdom. There is also a constitutional danger, which I hope will be discussed in another place this afternoon, arising from the way in which the Labour party wishes to remove the House of Lords or any second Chamber from revision of Scottish legislation. *[Interruption.]* Opposition Members may laugh and cheer at that prospect, but I was taught at school that the first step towards tyranny is the establishment of unicameral government, and that the second step is the use of plebiscites in an attempt to sideline the Parliament elected by the people.

Mr. Salmond: I associate myself with what the Secretary of State said about the Snowdrop petition. Why will he not allow the Scottish Grand Committee to make any decisions? Why does everything have to be decided here? Is it because at meetings of the Scottish Grand Committee he does not have the gallery of Conservative Members representing English constituencies who come to Scottish Question Time to ask patsy questions? In so far as the Grand Committee signifies interest in Scottish affairs, will the Secretary of State explain why, between 1992 and 1995, he attended only one of its 28 sittings? Why did he attend that one and miss the other 27?

Mr. Forsyth: The hon. Gentleman knows the answer to that question: I did not have ministerial responsibility in Scotland. He is entitled to ask why decisions affecting Scotland cannot be made in the Scottish Grand Committee or a Scottish forum because he is a nationalist, not a Unionist. No Unionist could ever argue that case—although Opposition Members have tried to do so, which is why they have got themselves into such a shambles. I am grateful to the hon. Gentleman for what he said about the Snowdrop petition and for the consistency that he has shown on the matter. He argues that a referendum is of no worth whatsoever unless it is on a specific proposal and unless it offers the Scottish people all the options. The difference between him and Labour Members is that he wants the break-up of the United Kingdom but they would bring about the break-up of the United Kingdom through political opportunism.

Mr. Stewart: Does my right hon. Friend agree that the Scottish Grand Committee is an important, practical and sensible part of the Union? Therefore, will he congratulate the Leader of the Opposition on his good sense in forcing the resignation of the hon. Member for Dundee, East (Mr. McAllion), who believes in all this devolution nonsense, and replacing him with the hon. Member for Edinburgh, Leith (Mr. Chisholm), who is a good, sound chap with a good, sound Unionist record?

Mr. Forsyth: I will not congratulate the shadow Secretary of State for Scotland on having asked the hon. Member for Dundee, East (Mr. McAllion) to resign so as not to ruin his party leader's press conference. The hon. Member for Dundee, East has always taken a principled stand on the matters in which he believes. I respect that, although I disagree with it. I agree with what the hon. Member for Glasgow, Hillhead (Mr. Galloway) said in an article in the *Daily Express* the other day. No hon. Members would condemn anyone who stood up for what they believe, which is what the hon. Member for Dundee, East has done.

Mr. McAllion: Will the Scottish Grand Committee get the opportunity to debate the rumoured return of the Stone of Destiny to Scotland? Is the Minister aware that the real Stone of Destiny is already in Scotland? It has been hidden in a church in Dundee for a number of years, but security forces should realise that it has since been moved to an alternative safe place. Is he aware that the Stone of Destiny that he is intending to return to Scotland is a sham and a fake, just like his trumped-up Scottish Grand Committee, which fools no one in Scotland? When will the Government understand that the demand for

self-government in Scotland will never be satisfied until the Scottish people have a directly elected, tax-raising parliament that meets in Scotland?

Mr. Forsyth: The hon. Gentleman's Front-Bench colleagues did not like the latter part of his question. The authenticity of the Stone of Destiny was investigated very carefully. The stone was subjected to a number of tests. Although files on the matter have never been released, they show that the authentic stone rests in Westminster abbey. I shall ensure that the files are released so that the hon. Gentleman may look at them. I am sure that he will have plenty of time on his hands in which to do so.

Mr. Richards: When my right hon. Friend next attends the Scottish Grand Committee, will he warn it that a parliament for Scotland and the integration of the United Kingdom into Europe, as proposed by the Labour party, would create a new danger to this country's integrity, the like of which we have not seen since the second world war?

Mr. Forsyth: I entirely agree with my hon. Friend. It is quite difficult to keep up with the changing face of the Labour party's policy on these constitutional matters, but I agree that its policies are a new danger. The idea that it is possible to have a tax-raising Parliament and maintain our present level of funding, yet lose the office of Secretary of State and our voice in Westminster through a diminution in the number of Members of Parliament, is viewed askance by most Scots and offers a new danger. In short, the position is new Labour, nae Britain.

Mr. George Robertson: I thank the Secretary of State for his hospitality at lunchtime in giving party leaders in Scotland and others the chance to meet those who were bringing the Dunblane Snowdrop petition, which has been signed by 750,000 people. Parents and organisers of the campaign expect Parliament not only to accept the petition but to listen to what it proposes and to act on it urgently. I return, however, to the fray.

Nobody in Scotland is conned by the idea that a glorified Scottish Grand Committee is the answer. When he denigrates and deliberately insults the genuine, legitimate ambition of the Scottish people for devolution by referring to "a pigmy Parliament", he demeans the office that he holds and shows himself to be the ideologue for which so many people in Scotland have judged him. Why, in a press release issued in London last Tuesday, did he issue a challenge to Labour, saying

"that the Scottish people should have a say in major constitutional change through a referendum",

only for him now to tell the House that any plebiscite is the first step on the road to tyranny? I fear that such double standards, more than anything that we propose, genuinely threaten this nation's unity.

Mr. Forsyth: I stand by what I have said about a referendum—unlike the hon. Gentleman, who cannot say as much. He rubbished my proposal that the Labour party should commit itself to a referendum after the introduction of legislation—

Mr. Robertson: That is not what the right hon. Gentleman said.

Mr. Forsyth: That is indeed what I said, and it is not only me who is saying it. The hon. Member for Linlithgow (Mr. Dalyell), who is inexplicably absent from our proceedings today, says the same in *The Guardian* today. He argues the same constitutional case: that to ask people to vote on a matter when they cannot see the whole picture in the form of a Bill that has been considered by the House is to subvert Parliament.

The hon. Member for Hamilton (Mr. Robertson) and his leader have been boasting about how they see a referendum as a way of getting the legislation through the House more quickly. I understand that they were advised that the referendum legislation was still on the statute book, but they were ill advised. It is not; it was repealed. A Bill would have to be taken through the House, and it would be fought every inch of the way both here and in the House of Lords. No doubt some in the House of Lords would argue that a question should be asked about removing the House of Lords from the consideration of legislation for Scotland, in which their Lordships have taken part for centuries. The hon. Gentleman should stop tinkering with our constitution for party advantage and realise that new Labour could mean nae Britain.

Prison Officers Association

11. **Mr. McKelvey:** To ask the Secretary of State for Scotland what plans he has to meet representatives of the Prison Officers Association to discuss working conditions and future employment prospects. [34181]

Lord James Douglas-Hamilton: My right hon. Friend has asked to meet the Scottish Prison Officers Association, and will do so on 19 July.

Mr. McKelvey: When the Minister meets Scottish prison officers, will he discuss the proposed private prison in Bowhouse in my constituency? I welcome that proposal, but I do not welcome the fact that the prison will be run privately. Has the right hon. Gentleman seen the Coopers and Lybrand report, which was commissioned by the Home Office and which clearly shows the appalling level of violence in private prisons in England? In one such private prison, there were 34 per cent. more assaults than in a comparable non-private prison. Will he have second thoughts about the prison being run privately, and put it into the hands of Scottish prison officers instead?

Lord James Douglas-Hamilton: The hon. Gentleman can take it that we will ensure, through the specification, the highest standards of service in the new prison, which, as he will appreciate, will bring hundreds of jobs to his constituency—not only construction jobs but long-term jobs for the staff who will operate it. We expect that the private sector provider will recruit most of its staff in the local area. As for track records elsewhere in Britain, inspectors' reports have confirmed that private management of prisons can work well, with considerable savings to the taxpayer. None the less, the hon. Gentleman's point will be taken seriously, and we shall ensure that there are safeguards against any possibility of abuse.

Mr. Batiste: Is my right hon. Friend aware that the Home Office is considering introducing a medal for prison officers to recognise exceptional bravery in the course of their work, rather similar to the police medal for exceptional bravery by police officers? Will he commit the Scottish Office to supporting that initiative?

Lord James Douglas-Hamilton: Most certainly. I am glad to say that the Secretary of State has supported the initiative. As one who has a prison in his constituency, I have the highest regard for prison officers, who are extremely courageous in the face of adversity. The proposal is altogether wise and far-sighted.

Mr. O'Neill: I join other Members in thanking Ministers for the manner in which they handled the reception of the people from Dunblane and the Snowdrop petitioners today. They would like to see a tightening of the punishments for individuals who seek to use guns for any criminal purpose in Scotland. It should not be forgotten that, when such individuals are incarcerated, they will be in the hands of the prison officers of our country, whose morale has been dashed by the arbitrary withdrawal of parole and the like. Their job is becoming even more difficult, and there is a crisis not only of pay and conditions but of morale. The Minister must do something about that if he is to play fair by those men, who have one of the most unpleasant and difficult jobs in our country.

Lord James Douglas-Hamilton: The hon. Gentleman is correct to call for severity for offences involving firearms, and the Scottish Prison Service certainly should be strongly supported. He should not complain too much if remission for dangerous criminals is reduced in the future, as we believe that that is not an automatic right but a privilege to be earned by good behaviour. If dangerous criminals spend longer in prison as a result, there will be fewer of them in the community.

Highlands and Islands Enterprise Area

12. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland if he will make a statement on the economic prospects of the Highlands and Islands enterprise area. [34182]

Mr. Kynoch: They remain excellent.

Mrs. Michie: Will the Minister confirm that the Scottish Office has at last made a decision on introducing a ferry service between Campbeltown and Ballycastle? Who is to operate the service, what vessel will be used and what is the starting date? Will the Minister give as full an answer as possible? Otherwise, I may entertain the slightest suspicion that the Secretary of State will pull another rabbit out of the hat at Dumfries on Friday.

Mr. Kynoch: I am sorry to disappoint the hon. Lady, but she has been misinformed. My right hon. Friend has said consistently that he is keen to establish the route, but significant obstacles must be overcome. He is working as best he can and as fast as he can to overcome them, and I assure the hon. Lady that we will keep her informed on his progress. Unfortunately, we do not see an announcement on a conclusion being made in the next week.

Mr. Wilson: Is not the main obstacle that Ministers must overcome their quite irrational prejudice against anything operating in the public sector? Does not everyone involved in the project—which has potential benefits for my constituency—agree that the sensible thing to do is to allow Caledonian MacBrayne to operate a vessel that it owns? It has the back-up of a fleet to provide flexibility, and it will provide jobs to Scottish seamen. The firm also has all the advantages of experience. It wants to do it, but the Government are obsessed with the idea that, unless a private sector operator can be involved—even one using a Caledonian MacBrayne vessel—the project cannot go ahead.

Will the Minister play fair with the communities involved in Northern Ireland and in the highlands and islands—and, potentially, in my constituency at Ardrossan—and allow the project to go ahead? Will Ministers get rid of their ridiculous prejudice? Never mind what the Secretary of State is telling the Minister—will he answer for himself? CalMac wants to run it, and it is best placed to do so—the Government should let it do so.

Mr. Kynoch: From the hon. Gentleman's words, it is apparent why he is no longer a transport spokesman, but perhaps that means that he can now commit his party to all sorts of expenditure proposals. The Government are adamant that we will make the right decision, and that it will be considered properly. As I said to the hon. Member for Argyll and Bute (Mrs. Michie), the Secretary of State is trying to overcome the obstacles, and he is keen to reach as speedy a conclusion as possible.

Mr. Bellingham: Is the Minister aware that the McFadden commission's stated aim is the abolition of Highlands and Islands Enterprise and the transfer of its responsibilities to a tartan tax-raising Parliament? Does he agree that that would have a calamitous effect on the highlands and islands?

Mr. Kynoch: I agree with my hon. Friend. Highlands and Islands Enterprise and Scottish Enterprise have done a remarkably good job for economic development in Scotland. I hope very much that they will continue to do so, and that they will have the full support of the Government.

Local Government Finance

13. **Dr. Spink:** To ask the Secretary of State for Scotland if he will make a statement on the level of revenue support for Scottish local government in the current year. [34183]

Mr. Michael Forsyth: Local government grant support amounts to £5.4 billion in Scotland, an increase of 3.6 per cent.

Dr. Spink: Will my right hon. Friend confirm that Government spending on local government in Scotland is 43 per cent. above expenditure for England? Could that spending be sustained if Scotland had its own tax-raising Parliament? If not, how could that Parliament possibly cut taxes? Would not taxes have to increase, with the result that people north of the border would take home less than people south of the border?

Mr. Forsyth: I entirely agree with my hon. Friend. Local authority expenditure in Scotland is 44 per cent. higher per head than in England. It is difficult to see how the Leader of the Opposition can go around Scotland suggesting that a tax-raising parliament could reduce taxes. That presupposes that Members of this House will continue to vote for 44 per cent. more in spending for Scottish local authorities than for authorities in their own constituencies, and then sit back and watch the parliament cut taxes. That is not the real world. Labour would endanger local authority expenditure and other public services by setting up a Scottish parliament with tax-raising powers. That parliament would lead to resentment on both sides of the border, which would destroy the Union that is the United Kingdom.

Dr. Reid: Would not those who devote their time and effort to local government in Scotland like nothing better than to have a parliament with which they can work, rather than a Secretary of State and Ministers who berate them at every conceivable opportunity? Does not today's new-found concern with the House of Lords show that the Secretary of State is studying his future career pattern well, because there is no chance that he will be re-elected? May we offer a deal to the Secretary of State and the Prime Minister? If they send us a big lump of stone as soon as they can, we in Scotland will agree that the Secretary of State should be incarcerated beneath a chair in Westminster abbey for ever after.

Mr. Forsyth: The hon. Gentleman is normally a sensible chap. How on earth did he get himself into a party that is prepared to give up the office of Secretary of State, to allow a reduction in the number of Members of Parliament here and to allow hard-working Scots to pay a tartan tax and take home smaller pay packets than people in England? How on earth can he call himself a Unionist and still be involved with that rabble?

Stone of Destiny

3.30 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I should like to make a statement about the Stone of Destiny.

The Stone of Destiny is the most ancient symbol of Scottish kingship. It was used in the coronation of Scottish Kings until the end of the 13th century. Exactly 700 years ago, in 1296, King Edward I brought it from Scotland and housed it in Westminster abbey. It remains—*[Interruption.]*

Madam Speaker: Order. The House must come to order and hear this statement in good order. There will be hon. Members who will want to be called after the statement. They should listen to it now.

The Prime Minister: The stone remains the property of the Crown. I wish to inform the House that, on the advice of Her Majesty's Ministers, the Queen has agreed that the stone should be returned to Scotland. The stone will, of course, be taken to Westminster abbey to play its traditional role in the coronation ceremonies of future sovereigns of the United Kingdom.

The Stone of Destiny holds a special place in the hearts of Scots. On this the 700th anniversary of its removal from Scotland, it is appropriate to return it to its historic homeland. I am sure that the House would wish to be assured that the stone will be placed in an appropriate setting in Scotland. The Government will be consulting Scottish and Church opinion about that. The stone might be displayed in Edinburgh castle alongside the Honours of Scotland, Europe's oldest crown jewels. Alternatively, it might be appropriate to place it in St. Margaret's chapel inside the castle or in St. Giles's cathedral. There may be other options.

Once those consultations have been completed, the necessary arrangements will be made and the stone will be installed with due dignity in Scotland.

Mr. Tony Blair (Sedgefield): I welcome the Prime Minister's statement. I am sure that it will be warmly received by people in Scotland. We know that the Stone of Destiny holds a special place in Scottish hearts after 700 years. Obviously, it is part of Scottish nationhood and, by coming back here for the coronation of our Kings and Queens, as it will, it will no doubt also be a symbol of Scotland's place within the United Kingdom. The return of the stone, therefore, is a welcome recognition of how we can celebrate the unity of the United Kingdom while being distinct and proud nations with differing traditions, histories and cultures. It is a sentiment on which we wish to build in the future—and I hope that we shall not have to wait another 700 years to do so.

The Prime Minister: I am grateful to the right hon. Gentleman for his welcome for the decision. I am glad that he treated the matter with the seriousness that it deserves rather than with the levity displayed by so many of his hon. Friends over a matter that will be regarded as one of great importance in Scotland.

Mr. Bill Walker (North Tayside): My right hon. Friend will be aware that Scone is in my constituency. The ancient capital of Scotland would be proud to have the stone back and I hope that, when consideration is given to its location, its roots will be remembered.

The Prime Minister: I have mentioned the areas to which the stone might most obviously be returned, but, in consultation, other propositions might be put forward.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): May I warmly welcome the Prime Minister's decision to secure the return of the Stone of Destiny to Scotland? I hope that he is under no illusion and that he recognises that it is the settled view of the majority of people in Scotland that they want not just the symbol, but the substance—the substance of the return of democratic control over our internal affairs in Scotland. May I tell the Prime Minister, before he comes north on Friday, that I hope that he will not continue to insult us by suggesting that, although other countries can organise decentralised government—most recently in Spain since the death of Franco—we are somehow incapable of doing the same in the United Kingdom?

The Prime Minister: First, I am grateful for the welcome that the right hon. Gentleman has given to the decision. On his second point, the right hon. Gentleman's proposal for a parliament within the United Kingdom, as the leader of the Labour party says, would mean that Her Majesty's Ministers who are not Scottish would not be able to appear in that assembly. On Friday, I shall be appearing in the Scottish Grand Committee as Prime Minister of the United Kingdom, open to debate and able to be questioned by Scottish Members in Scotland. That would not be appropriate under the plans supported by the right hon. Gentleman.

Sir Hector Monro (Dumfries): Does my right hon. Friend accept that his statement is of supreme importance to the Scots? The return of the Stone of Destiny to Scotland will be unanimously and warmly welcomed by Scots and will highlight the close unity, tradition and good will between our two nations. Will my right hon. Friend ensure that there will be an imaginative and effective ceremony for the return of the stone to Scotland, which I hope will be placed in Edinburgh castle?

The Prime Minister: As my right hon. Friend said, the Stone of Destiny is an important part of Scotland's national identity. After 700 years, it is right to recognise the importance of the stone to the Scottish nation and let it return to Scotland and remain there. Of course, we plan to hold a suitable ceremony at the time of its return and we shall be consulting Scottish opinion as to what might be appropriate.

Mr. John Maxton (Glasgow, Cathcart): Does the Prime Minister understand that those of us who believe in the establishment of a Scottish Parliament in order to ensure a modern democratic state within the United Kingdom and Scotland, do not believe that the return of a feudal, mediaeval symbol of tyranny is any more than a total irrelevance?

The Prime Minister: I am not at all sure that the hon. Gentleman was speaking for many Scots. They will regard what he said as churlish, not least because he is referring to an ancient symbol of Scotland that is well regarded by Scots of all political parties and none. They will be astonished to hear what a Scottish Member of Parliament had to say about one of their most ancient symbols.

Sir Patrick Cormack (South Staffordshire): Does my right hon. Friend accept that most people who care about the history of the United Kingdom also care about its symbols, as we care about the symbols in this place? Does he accept that most people will expect the stone to go to St. Margaret's chapel in Edinburgh castle, so that it remains within a consecrated building?

The Prime Minister: St. Margaret's chapel is one of the possible prime sites for the stone. It is a matter that will need to be the subject of consultation within Scotland. I have mentioned some of the areas that will be considered as the most obvious sites for the stone when it returns to Scotland.

Mr. Andrew Faulds (Warley, East): Would the right hon. Gentleman accept a criticism and a comment? Is he not wrong in stating that the Crown jewels of Scotland are the oldest in Europe? Is it not a fact that the oldest Crown jewels in Europe that I can recall are the St. Stephen's crown in Hungary? If I could only remember, there is actually an older Byzantine crown. I think that I am correct in saying that. I am usually correct in most of my utterances. Will he accept my comment that what the ex-leader of the Liberal party said is most important? What we want is not the symbol but the substance of independence in Scotland.

The Prime Minister: I am not entirely sure that it is the Labour party's policy to have independence in Scotland. Perhaps that was just a slip of the tongue. I will accept that as the case if it was. *[Interruption.]* No, the hon. Member for Warley, East (Mr. Faulds) confirms that it is the policy that he and members of his party follow to have independence in Scotland. That point will have been well noted on the Conservative Benches and in many areas of Scotland.

With regard to the hon. Gentleman's earlier point, I recognise his expertise in these matters. I am certainly advised, as I advised the House, that these are the oldest Crown jewels in Europe. The hon. Gentleman thinks differently. We shall both be able to check. In any event, I look forward to him having the opportunity of going to Scotland to see them in situ.

Mr. John Wilkinson (Ruislip–Northwood): Will my right hon. Friend ensure the return of the touchstone of the sovereignty and independence of this distinct and proud nation through the return of the primacy and supremacy of British law over that emanating from Brussels?

The Prime Minister: I can assure my hon. Friend that there is no question of the House letting go of the primacy of British law.

Mrs. Margaret Ewing (Moray): I welcome the Prime Minister's statement today, but if he had studied his constitutional and political law of Scotland, he would understand that the Stone of Destiny is not the symbol of kingship but the symbol of the sovereignty of the people of Scotland, which is enunciated through the declaration of Arbroath. Like others, I argue that, while we welcome the return of this symbol of power, we want the realities of power in Scotland. It may have taken this Parliament some 668 years since the treaty of Northampton to return stolen goods to Scotland, but in actuality the people of Scotland will return to themselves the power of having their own sovereign Parliament very soon.

The Prime Minister: The hon. Lady also makes no secret of the fact that she wishes to see independence in Scotland. That, of course, would have a profound effect on Scotland and the rest of the United Kingdom. I believe that she is wrong about that. That is one of the distinct political differences between us that will no doubt be debated for some time to come. On the earlier point, I think that, constitutionally, she is wrong.

Mr. Allan Stewart (Eastwood): Has my right hon. Friend noted that this important announcement was greeted seriously by the Leader of the Opposition, the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) and the hon. Member for Moray (Mrs. Ewing)? It was immediately denounced by a Scottish Labour Member of Parliament and most of the rest of them laughed. Does not that show what an incoherent shambles the Scottish Labour party is in?

The Prime Minister: One of the advantages of having the House televised is that people in Scotland will have seen precisely how Opposition Back Benchers—not Front Benchers; on this occasion I am pleased to support the Leader of the Opposition's behaviour—behave on a matter of great sensitivity and interest to the people of Scotland.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Obviously, the people of Scotland will welcome back the Stone of Destiny, which has been a bone of contention for many years. However, I suggest to the Prime Minister that, for every 1,000th person unemployed in Scotland, he gets a bagpiper, and we take that stone and march from one end of the country to the other with at least 200 unemployed bagpipers who have suffered under this Government. Perhaps that will be the stepping stone to a Labour Government and then a Scottish parliament, one which represents and looks after the interests of the people, not a token artefact; real stones for building houses, that is what our people want.

The Prime Minister: I am surprised to hear the hon. Gentleman call the Stone of Destiny a token artefact. That is his view of the Stone of Destiny, and that will be well noted in Scotland.

The hon. Gentleman will know that unemployment has been falling consistently in Scotland primarily because of inward investment into Scotland that would not have taken place but for the Government's policies. I suggest that when we have that piper, all the people in Scotland who have new jobs—good jobs, permanent jobs, jobs with a proper career—follow that piper, instead of the people

[The Prime Minister]

who were in jobs that were kept there only by Government subsidy, jobs with no future, which was the position before 1979.

Mr. Phil Gallie (Ayr): Does my right hon. Friend accept that my constituents will welcome the return of the stone to Scotland? They will also welcome the commitment that the stone will play a part in future coronation services. My right hon. Friend obviously recognises that it is symbolic of Scotland's part in the Union. Does he agree that there is no chance of him taking steps that will damage the Union, unlike Opposition Members?

The Prime Minister: As my hon. Friend implies, the stone is the property of the Crown and will be returned to the coronation chair to take its place in the ceremony of the crowning of any future sovereign, who would be King of England and, of course, Scotland. To that extent, it symbolises the unity of the United Kingdom, and it is entirely right that the property of Her Majesty the Queen should be placed wherever in Her Majesty's kingdom is deemed most appropriate.

Dr. Norman A. Godman (Greenock and Port Glasgow): Was this gesture prompted by political motives, or will it be seen in future years as the first in a series of generous gestures to countries in and outwith the multinational state of the United Kingdom? Are we likely to see the return of the Elgin marbles, for example?

The Prime Minister: This gesture was prompted by the 700th anniversary of the stone's removal from Scotland, and I believe it appropriate for it to return to Scotland for those particular reasons. That is not likely to be followed in totally different circumstances by the return of artefacts such as the Elgin marbles. That is not the case.

Mr. Tim Renton (Mid-Sussex): I congratulate my right hon. Friend on both the wisdom and the symbolism of what he has announced today. After we have listened to some of the comments of Labour Back Benchers who have ridiculed this step, is it not worth reminding the House that the stone was forcibly removed from the abbey by Scottish nationalists on Christmas morning 1950? Surely that shows the forceful power that is attached to the symbolism of the stone. Its return now should surely be seen as a sign of unity, not one of dissension and ridicule.

The Prime Minister: I believe that that is the case and that that is the way in which this will be viewed by most people, especially those who will have been somewhat shocked by the behaviour of some hon. Members this afternoon.

Several hon. Members *rose—*

Madam Speaker: Thank you. We shall now move on.

Points of Order

3.47 pm

Mr. George Galloway (Glasgow, Hillhead): On a point of order, Madam Speaker. In view of your strictures just yesterday about the use of foul and abusive language in the Chamber, I should like to hear your views on the foul and abusive term used by the Secretary of State for Scotland—the disparaging, racist term of pigmy, which will have caused great offence to many people. Not being tall, dark and handsome himself, one would have thought that he would have taken more care in the use of the word, which was intended and was always used as a disparaging reference to a proud, independent African people who live in southern and central Africa. The use of the term pigmy in that offensive way is racist, and I hope that you will cause the Secretary of State for Scotland to withdraw it.

Madam Speaker: I heard the word used and the context in which it was used. Had I thought it unparliamentary at the time, I would have asked the Member concerned to withdraw it, as I always do. I remind the House that the English language is very rich, and I simply caution all hon. Members—whether they are Front Benchers or Back Benchers—to make full use of the wonderful language that we have been given. I also remind all hon. Members of the very wise words of "Erskine May":

"Good temper and moderation are the characteristics of parliamentary language."

We should take that to heart.

Mr. John Maxton (Glasgow, Cathcart): On a point of order, Madam Speaker. According to *The Herald*, the Secretary of State for Scotland has challenged my right hon. Friend the Leader of the Opposition to bring his devolution plans before the Scottish Grand Committee. He issued a personal invitation to my right hon. Friend to take the place of my hon. Friend the Member for Hamilton (Mr. Robertson) at this week's Dumfries meeting and face the questions from his own Scottish Members of Parliament. Throwing down the challenge, the Secretary of State said, "Let's hear from the organ grinder, not his monkey."

The Standing Orders relating to the Scottish Grand Committee would not, in fact, allow my right hon. Friend the Leader of the Opposition to attend a meeting of the Scottish Grand Committee as a member, or to speak at such a meeting. Is it not remarkably arrogant of the Secretary of State to consider the Committee that he touts around Scotland to be his private fiefdom, in which he can invite whomever he likes to come along and speak? Will you make it clear, Madam Speaker, that he has no such power, and also that my right hon. Friend could not have attended?

The Secretary of State for Scotland (Mr. Michael Forsyth) *rose—*

Madam Speaker: Order. I think that I can deal with this.

The hon. Member for Glasgow, Cathcart (Mr. Maxton) has not simply raised a point of order; he has raised a matter of debate, because he has answered the point that he put to me. Standing Order No. 94A lays down that the Scottish Grand Committee shall be made up of

"all Members representing Scottish constituencies".

In addition, Ministers of the Crown who are Members of Parliament but not members of the Grand Committee may take part in its deliberations. Consequently, Members of Parliament who, like the Leader of the Opposition, neither represent Scottish constituencies nor are Ministers of the Crown may not on this occasion take their places in the body of the kirk.

Mr. Forsyth: I am grateful to you, Madam Speaker. The hon. Member for Glasgow, Cathcart (Mr. Maxton) obviously gave you notice of his point of order. If he had raised it with me, I could have told him that what I actually said was that, if the Leader of the Opposition would like to attend the Scottish Grand Committee, I would be quite prepared to present a proposal to amend the Standing Orders in order to make that possible. Those are the words that I used, and my offer remains open. It is significant that no Opposition Members have taken it up.

Several hon. Members *rose—*

Madam Speaker: Order. I will take no more points of order on this matter. I have given a correct ruling, which the House now understands.

Mr. Dennis Canavan (Falkirk, West): On a point of order, Madam Speaker.

Madam Speaker: Is it an entirely different point of order?

Mr. Canavan: Yes, Madam Speaker. Do you know whether there is any truth in the report that the Secretary of State for Scotland has suggested that the Stone of Destiny should be relocated in Stirling castle, in a last desperate effort to find himself a safe seat?

Madam Speaker: We have an important ten-minute Bill with which to deal, and I have a very bad cough. We must move on.

Mr. Barry Field (Isle of Wight): On a point of order, Madam Speaker.

Madam Speaker: I will hear it.

Mr. Field: During Scottish questions, the Secretary of State for Scotland offered to make available files that prove the origin and authenticity of the Stone of Scone. You may have read in yesterday's papers, Madam Speaker, that the Liberal Democrats are calling for the Isle of Wight to be made free of the tax regime and the rule of law applying to this country. There has been an inquiry into the sale of the Isle of Wight to the Crown. Would it be possible for the files to be made available? That would enable us not only to look at the problems of the Isle of Wight, but to welcome the Liberal Democrats' move towards tax cutting and their promise to make the Isle of Wight a tax haven.

Madam Speaker: That is very interesting, but it is also very time-consuming. If the hon. Gentleman needed the answers to his questions, he should have put them to the appropriate Minister. He knows, as I do, that they are not points of order.

Intensive Animal Husbandry (Review)

3.53 pm

Mr. Chris Mullin (Sunderland, South): I beg to move,

That leave be given to bring in a Bill to establish a body to investigate and report upon intensive animal husbandry and its implications for animal health and welfare, and for human health.

The Bill also wants the body to make recommendations for the establishment of humane and morally defensible systems of animal husbandry.

There is a view that the bovine spongiform encephalopathy crisis is a terrible but isolated disaster, which can be resolved by the introduction of a few practical measures and the shelling out of a great deal of public money to compensate an industry that has, to a large extent, brought the disaster on itself, after which business can continue as usual. I do not take that view. BSE is nature's revenge on factory farmers. Rather than continuing down the same old road, we should view the BSE scare as an opportunity for everyone concerned—producers and consumers alike—to learn lessons of a more general nature than any that have so far been suggested.

In the past 40 years, the principles of mass production have been introduced into the farmyard. Animals are treated not as sentient beings, capable of feeling pain and emotion, but as agricultural products. The treaty of Rome defines them as such. In the name of the great God efficiency, production systems have been devised that inflict unspeakable suffering on calves, pigs, chickens and turkeys throughout their short and miserable lives.

Pigs are locked in crates, where they can only stand or lie and where they suffer great stress, are bred to unnatural sizes and are forced to produce more than 20 offspring a year—many times their natural output. Broiler chickens, reared for their meat, never see daylight and are crammed together in huge windowless sheds that are littered with excrement, which is never removed in their 42-day lives. They are forced by selective breeding to grow from chicks to adults at twice their normal rate of growth, to the point where they can barely walk.

Hens are reared for their eggs and confined for their entire productive lives in battery cages so tiny that they cannot stretch their wings, let alone walk. Cows are selectively bred to produce much higher milk yields. They are milked to exhaustion, their swollen udders forcing their legs apart; they are often in great pain from mastitis; and they are separated from their calves within a few days of birth. What a terrible fate awaits their calves—or at least it did until the collapse of the beef industry—in the veal crates of France and Holland. The breeding pattern of sheep has been manipulated in response to the demands of supermarkets, so that lambs are produced in winter and not in spring, with the result that hundreds of thousands die of exposure.

How can that be morally justified? It cannot. Agribusiness can get away with it only by hoping that consumers do not find out or that, if we do, we shall avert our eyes. What are we to make of the appalling mutilations visited by factory farmers on their animals? Lambs are castrated either by cutting off their testicles with a knife, or by using a rubber ring to cut off the blood supply so that the testicles drop off. Chickens and turkeys are debeaked with red-hot blades. Piglets have their tails removed with knives or hot irons. Some even have their teeth clipped. All those mediaeval tortures are allegedly made necessary by the need to stop those unfortunate animals turning on each other in the frustration caused by their close confinement.

Who knows the effect on human health of the diet of antibiotics fed to factory-farmed animals to promote faster growth and to stave off the infections brought about by the awful conditions in which they are reared? The most common types of food poisoning are campylobacter and salmonella. A report published earlier this year by the Advisory Committee on Microbiological Safety concluded that one chicken in three is contaminated with salmonella and that 44 per cent. are contaminated with campylobacter. Who knows what new crises the future holds as long as this madness is allowed to continue?

Gradually, thanks to organisations such as Compassion in World Farming, which I am proud to support and which is the inspiration for the Bill, the consumer is becoming aware of the terrible suffering inflicted in our name. It is for each of us to search his or her conscience and to decide how to respond. For my part, I gave up eating meat some years ago, not because I feared for my health or because I dislike meat, but because I do not wish to be party to the infliction of such barbarity.

I regret that none of the main political parties takes this issue sufficiently seriously. Farm animals' welfare has been scarcely mentioned in any of the many debates and statements in the House arising from the BSE crisis. My party, thanks mainly to the work of my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley), has some sensible policies, but for some reason we hide our light under a bushel—presumably because farmers have votes and animals do not. That approach is short-sighted.

A growing number of people of all political persuasions—especially the young, who are otherwise disillusioned with politicians—care passionately about the treatment of farm animals. An excellent series of articles on the evils of factory farming appeared in the *Daily Mail* on 17, 18 and 19 June. It is not every day that I find something to praise in the *Daily Mail*, but that fine piece of journalism graphically described the effects of unrestrained market forces on the farming industry. A leading article in the *Daily Mail* on 19 June stated:

"We may reckon to have progressed beyond the rustic barbarity of cock fighting and bear baiting. Yet, in all conscience, can anything compare to the systematic cruelty of factory farming?"

Even people who are oblivious to the suffering of farm animals are beginning to notice the potential threat to their health and that of their children. My Bill confronts the issues head on. We need a wholly new approach to meat and dairy production. We need to restore morality to meat production. We must wean agribusiness off factory farming and away from the over-use of antibiotics and routine barbarity. We need a system of subsidies that encourages good practice and not merely discourages but penalises bad practice. We should not wait until the message reaches the European Union, although we must do our best to take our EU partners with us. We should act now, in the hope that we can set an example that will be followed by the rest of the world.

My Bill would establish a body that would include veterinarians, doctors, and members appointed after consultation with animal welfare organisations and farming interests. It would have a wider remit than the Farm Animal Welfare Council, whose work I

acknowledge. The new body would be asked to consider the implications of factory farming for not just animals but human health. It would be asked to make specific recommendations on how to bring factory farming of animals to an end. The time has come to return to a morally defensible system of animal husbandry, consistent with life in a civilised country.

Question put and agreed to.

Bill ordered to be brought in by Mr. Chris Mullin, Mr. Eric Martlew, Sir Andrew Bowden, Mr. Alan Meale, Sir Richard Body, Mr. Bill Etherington, Sir Teddy Taylor, Mr. Tony Banks, Mr. Harry Greenway, Mr. Bill Olner, Mr. Nigel Jones and Mr. Terry Lewis.

Intensive Animal Husbandry (Review)

Mr. Chris Mullin accordingly presented a Bill to establish a body to investigate and report upon intensive animal husbandry and its implications for animal health and welfare, and for human health: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 167.]

Orders of the Day

Statutory Instruments (Production and Sale) Bill

Order for Second Reading read.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I have to inform the House that Madam Speaker has selected the amendment in the name of the Leader of the Opposition.

4.3 pm

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): I beg to move, That the Bill be now read a Second time.

This is a short Bill, for the simple reason that its sole purpose is to correct an anomaly in existing legislation, whereby Her Majesty's Stationery Office is permitted to contract out the printing of all legislative and official material, with the single exception of statutory instruments. The Bill amends the Statutory Instruments Act 1946 to bring statute in that area into line with all other classes of material. It also confirms retrospectively the status of existing statutory instruments printed other than by HMSO, but it has no other purpose.

I begin by outlining some of the general considerations that apply to HMSO in its role as printer to the Government. Printing plant of all types is expensive to acquire, maintain and operate, and all printers must be sure of maximum usage of the plant they own. When demand is variable or unpredictable, it is commonplace in the printing industry to own only so much capacity as is likely to be heavily used, and to sub-contract to others at times of peak demand or for jobs in which additional technical expertise is needed.

HMSO is in precisely that position. Its work load depends on the weight of the legislative programme, the parliamentary cycle, new initiatives by Departments and similar factors that—as hon. Members will appreciate—are notoriously difficult to predict.

If HMSO were to acquire sufficient capacity of its own to meet the peaks in demand for its services, there would necessarily be long periods of less than peak demand during which that capacity was under-used or completely idle. No reasonable person could countenance the impact that that would have on costs. For HMSO, such capacity would mean a very substantial increase in the cover prices of its publications, with obvious consequences for the affordability to the general public of official information.

HMSO must therefore sub-contract printing work if it is to operate efficiently and if access to official documents is to be maximised. It has done so for very many years and, in the vast majority of cases, it is perfectly lawful for it to do so. In particular, the Documentary Evidence Act 1882, which is still in force, permits legislation and other legal documents to be printed by third parties under the superintendence and authority of HMSO, as well as directly by it.

The House may be interested to know that that Act—as with many Acts since 1882—was itself printed by the private sector. There is, of course, no reason why private sector printers should not be at least as capable as HMSO

[Mr. Roger Freeman]

of performing what are, in many cases, technically very simple print jobs. Overall, the results of contracting out have been entirely satisfactory.

HMSO, its customers and the users of its information have therefore benefited for a long time from a regime that allows costs and cover prices to be kept as low as possible.

The sale prices of statutory instruments have not changed for more than three years. There is only a single, anomalous exception to this regime, which relates to the printing of statutory instruments. That is the subject of this Bill.

The Statutory Instruments Act 1946, as it currently stands, imposes directly on HMSO or its ex officio head, the Queen's printer, the duties of printing, issuing and selling statutory instruments. It does not contain the "superintendence and authority" provisions of the 1882 Act. Instead, the 1946 Act followed the pattern of its predecessor, the Rules Publication Act 1893—but those conditions are no longer suitable for modern conditions, even if they were at the time.

Notwithstanding the provisions of the 1946 Act, HMSO has in fact contracted out the printing of statutory instruments for some time. It is hard to determine the exact date on which it began doing so, but records show that the practice dates from at least 1965, and probably earlier.

Mr. Jim Marshall (Leicester, South): I have listened to the Minister with mounting interest. First, no one would disagree with his reasonable statements about variations in work loads for printers. However, if the 1946 Act specifically forbade the contracting out of statutory instruments, how did the practice begin? How has the practice developed if it is illegal?

My second point is perhaps of greater interest in the current climate. HMSO has been the subject of many reviews in Government circles in the past five or six years, particularly with the prospect of privatisation. Why has this illegality come to light only now, and not during one of those reviews?

Mr. Freeman: We discovered what has now become the custom and practice—for many years, under Labour and Conservative Governments—of HMSO contracting out a portion of the work of printing statutory instruments because of detailed preparations for privatisation. Privatisation, however, is not contingent on this Bill, as I shall explain in a minute, because we would correct the anomaly. The purpose of the Bill—

Mr. Marshall *rose—*

Mr. Freeman: I am still trying to deal with the hon. Gentleman's point, but I shall certainly give way in a moment.

The purpose of the Bill is to correct what is undoubtedly a technical deficiency. I do not have the answer to the hon. Gentleman's question, because the practice goes back at least to 1965. My guess is that, because it was lawful to print not only Acts of Parliament but all other public sector documents through sub-contracting, the management of HMSO assumed, not unreasonably, that they had the legislative authority not only to print SIs themselves but to sub-contract them.

Mr. Marshall: I am grateful to the Minister for giving way; I realise that it is only a short Bill, and that he wants to make progress. He said that the practice goes back at least to 1965, if I remember his written answer correctly. That date is very convenient for him, because it implicates both our parties. Why are we not dealing with the period from 1946 to 1965? Why stop at 1965? If people had been obeying the law of the land from 1946 to 1965, why did the practice suddenly alter? It is not an anomaly, but an illegality.

Mr. Freeman: The reason for citing 1965 is that 30 years is as far back as HMSO officials could go. My assumption is that, were they able to go back further—looking at the management decisions of HMSO or ministerial decisions in the record of government or in parliamentary answers—they could probably trace the practice back to 1946.

Contracting out may well technically be a breach of the 1946 Act, but HMSO thought that it had good reason for acting in this way. First, it was merely following long-established practice for other official material. Secondly, and more important, demand for SI printing is, if anything, even more volatile than for other documents. Large volumes of important instruments may be required at very short notice. If HMSO had attempted to produce all of them itself to the tight time scales required, its costs, and therefore the cover price of SIs, would have had to increase.

The result of HMSO's actions is, however, that there are in existence very many copies of SIs which have not been produced in strict conformity with the 1946 Act. I must stress that there is no question of the SI itself not being valid, or of past convictions for breaches of an SI being unsound. Secondary legislation becomes law from the moment it is made, or within a short period thereafter, and can be proved if necessary by production to the court of the original signed copy or a certified copy. However, individual printed copies might possibly be contested by those charged under them, and it is possible that courts would be burdened with arguments as to their validity.

Mr. Simon Hughes (Southwark and Bermondsey): I shall make just two brief points. First, does the Minister accept that it is ironic that the one bit of the system that appears to have been acting illegally, at least in a technical sense, for the past 30 years is the bit that has most to do with examining the small print, or secondary legislation?

Secondly, and more important, this is the second Bill to be introduced this Session because the Government have been doing something that they should not have been doing, and have had to say that the law needs to be amended. The other was the National Health Service (Residual Liabilities) Act 1996, and, of course, the Minister was at one time a Health Minister.

If the Minister's Department is meant to be co-ordinating Government action, will it undertake, before the end of this Parliament, at least to co-ordinate matters so that we no longer have legislative or procedural practice that appears to be illegal and in need of amendment with no one knowing why things have been proceeding as they have for the past 30 years?

Mr. Freeman: As soon as the Government discovered that there was a problem, and following collective

discussion among Ministers, the decision was made—in my judgment, not only inevitably but correctly—to come straight to the House, report it and present a Bill. The shadow Chancellor, who leads for the Opposition in these matters, and I differ on many things, but one matter on which we agree is the pursuit of good governance. Where there is any hint of a defect in legislation, the Minister in question is obliged to come to the House and correct it. I cannot be held responsible for reviewing the 700 years of legislation passed by Parliament, but I can give the hon. Gentleman the assurance that, if I am aware of any anomalies arising in any other form of legislation, which have been drawn to my attention and that of the Department, I shall come straight back to the House, or will encourage my colleagues to do so.

Mr. John Garrett (Norwich, South): If the defect attaches both to a private contractor and to a public body—HMSO—why is this not a hybrid Bill?

Mr. Freeman: Because the 1946 Act refers specifically to HMSO. The private printer has not contravened the law technically, whereas HMSO has. I am the Minister accountable to Parliament for the acts of HMSO, so the Bill is a public Bill, not a hybrid one.

As things stand, defendants charged with contravening an SI could be acquitted solely on the technical argument that an SI not printed by HMSO had not been properly produced; case law suggests that this is unlikely, but it is not impossible. It is more likely that procedure in the courts might become obstructed, and that individual SIs would need to be specifically proved.

In any event, it is clear that urgent action is needed to confirm the validity and evidential status of existing individual copies of SIs. That would be effected by the passage of the Bill at the earliest opportunity, and that is why the Government seek to complete the remaining stages of the Bill in the House tonight.

Mr. D. N. Campbell-Savours (Workington): Will the Minister clarify this point? At some stage, he must have known that the practices taking place were illegal. At the moment he learned that, did he stop all illegality? Did he stop the contracts, or did he allow further illegalities to take place?

Mr. Freeman: If the hon. Gentleman is referring to HMSO, no, I did not, at the time I first become aware of the problem. Yes, I did and have done so—I shall report on this to the House in a moment—once the agreement of my colleagues and Government was obtained. The Bill was then presented.

Mr. Campbell-Savours: So that we have this on the record, did the Minister therefore permit an illegality to persist?

Mr. Freeman: I have to present a Bill to Parliament to clarify and rectify the situation. I will come to the instructions I have given HMSO a little later. I have already answered the hon. Gentleman's question. The moment I became aware personally of the matter, I did not instruct HMSO to cease production. I took further advice, and then discussed the problem with my colleagues. That is a fair and full answer to the hon. Gentleman's perfectly proper question.

It is therefore essential that the Bill confirms the status of existing SIs, allows contracting out to continue in the best interests of all concerned, and closes an outdated loophole. As drafted, it does precisely that. It would allow HMSO to contract with others for the printing and distribution of SIs on exactly the same terms as those currently applying to all other material, including Acts of Parliament.

This is a simple step, and requires only this short Bill. All that is required is to amend the wording of the 1946 Act in each place, so that, instead of specifying that SIs must be printed, issued and sold directly by HMSO, it merely requires that they may be printed, issued and sold by others working under contract to it. That is the substance of the Bill, and forms the first part of clause 1(1).

The second part of that subsection deals only with a related document—the list showing when each statutory instrument was issued. Again, there is no reason why this should be printed and distributed directly by HMSO, and again, HMSO has in the past contracted out this work. This subsection both verifies that practice and provides that it may continue. As a consequence, the statutory instruments issue list would not bear the imprint of the Queen's printer, but would state "printed for HMSO" rather than "printed by HMSO". The House will see that this is a minor point.

Clause 1(2) is slightly more complex. The Bill would amend retrospectively section 3(2) of the 1946 Act. This section states that proceedings for an offence consisting of a contravention of a statutory instrument may be defended on the grounds that the SI concerned had not been issued by HMSO at the time the alleged offence took place.

Subsection (2) prevents the amendment from applying to proceedings that commenced before 21 June. Thus the Bill does not deprive an accused person of any argument that he might have had. In particular, it does not prevent a defendant from calling into question the validity of the statutory instruments issue list, and thus argue that there was no conclusive evidence of the date of issue of a statutory instrument. I am not aware of any proceedings that commenced before 21 June to which a defence under section 3(2) would be relevant.

The Bill makes no other changes to the scope of the defence under section 3(2), or to the rights of defendants. It would simply change the criteria by which a statutory instrument might be deemed to have been properly printed, focused and issued, and the formalities for producing the statutory instrument issue list.

The Bill is not necessary for the privatisation of HMSO. That will proceed to completion irrespective of the Bill's passage. Shortlisted bidders are all aware of the position, and each is proceeding on the basis that statutory instrument printing would be carried out in the public sector. The House should be aware that the total value of sales of statutory instruments represent less than 1 per cent. of HMSO's turnover, so the work is of no more than marginal importance to bidders.

I have also instructed HMSO to cease putting statutory instrument printing out to third parties as soon as practicable. If I might add to my earlier remarks to the hon. Member for Southwark and Bermondsey (Mr. Hughes), that means as soon as the House rises. It is simply not practicable in the time available for HMSO to

[Mr. Freeman]

make other arrangements. When the House has risen, the volume of work will reduce substantially, permitting HMSO to print all statutory instruments internally.

Mr. Simon Hughes: I am grateful to the Minister for that announcement. He was dealing with technical defences in the courts. Can he tell us—or take advice and let us know later—whether there is a technical defence if a statutory instrument has a starting date when it is deemed to come into effect, but Parliament has not yet debated and approved it? Sadly, that is an increasing practice, which has been the subject of complaint from hon. Members on both sides of the House in recent years.

Mr. Freeman: If the House allows me, and it is appropriate in replying to the debate, I shall seek advice and reply to the hon. Gentleman.

The Bill will allow the residual HMSO which will remain within Government after the sale—with the Queen's printer and an appropriate staff—to contract out the production of statutory instruments. It could do that under contract either with the privatised Stationery Office or with another printer, and in effect would be acting in the same way as HMSO does now.

Mr. Anthony Steen (South Hams): The Opposition are making a song and dance about the failure to include the contracting out of statutory instruments to private printers. They appear to be suggesting that there a sinister plot or something mischievous is going on. Will my right hon. Friend confirm that it has been a practice of Labour and Conservative Administrations, and that there is nothing much in the Bill other than that a mistake has been made and the Government are putting it right. Has he any idea why it was excluded in the first place?

Mr. Freeman: I am not quite sure that I take the drift of my hon. Friend's last comment. I give way to him again.

Mr. Steen: I was wondering why it was excluded from the 1946 Act. Was it just a mistake?

Mr. Freeman: I cannot speak for the 1946 Parliament, but I would venture to suggest that it was not regarded as an important matter. It may not have been discussed in Committee or on Report. No doubt the then Labour Government had more important matters to hand. Perhaps Parliament did not focus on the same degree of detail as it does now.

It is hard, therefore, to see any difference in the service that would be provided. The Bill merely puts its legitimacy beyond doubt.

The Bill is not required for the sale of HMSO. If it is not enacted before the sale, the residual HMSO would arrange to print all statutory instruments directly itself. Detailed arrangements for how that would be done are being drawn up. The residual HMSO would employ its own printers and rent the night-time use of equipment at HMSO's Sovereign press at Elephant and Castle.

That would, though, be a most unattractive option. It would require Government to maintain a capacity that was rarely fully used, and which would therefore involve needless extra costs. Without a subsidy from the taxpayer, those extra costs would need to be passed on in the form of higher cover prices for statutory instruments. Estimates suggest that, if that course were to be followed—the Government are perfectly prepared to follow it—the average cover price of statutory instruments would rise by about one third. Failure to pass the Bill would mean that privatisation would certainly not be obstructed, but the cost of statutory instruments to the public would rise, to the detriment of wider public access.

The Bill's brevity belies its importance and urgency. Its passage is necessary, first, to confirm the status of existing statutory instruments to prevent the courts from being obstructed by specious debate as to the validity of statutory instruments and remove any chance of defendants in criminal cases being acquitted solely on the technical grounds that a statutory instrument had not been properly produced.

Secondly, the Bill will allow HMSO to continue to secure best value for money in the production of statutory instruments, and to keep cover prices as low as possible. Failure to pass the Bill would risk burdening the courts and necessitate rises in the cover price of statutory instruments. I trust that hon. Members will realise that the measure is non-contentious and urgent, and it is in those terms that I commend it to the House.

4.25 pm

Mr. Derek Foster (Bishop Auckland): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Statutory Instruments (Production and Sale) Bill which, while purporting to remedy a long-standing uncertainty, has been principally prompted by the Government's decision to privatise HMSO."

The Chancellor of the Duchy of Lancaster and I really ought to stop meeting like this. We keep having debates on the civil service and Her Majesty's Stationery Office. They may not have the Lobby correspondents gripping their seats, but they certainly keep me off the streets. There is no telling what mischief a former Chief Whip turned bovver boy can get up to.

On 18 December 1995, the Chancellor said:

"I confirm that my advice is that no primary or secondary legislation is needed".—[*Official Report*, 18 December 1995; Vol. 268, c. 1285.]

Yet now, towards the recess, obviously to invite the House to act hurriedly, the Chancellor is introducing primary legislation.

The Chancellor of the Duchy will argue, and indeed has argued, that the Bill has nothing to do with the privatisation of HMSO. Indeed, the House will have scrutinised his parliamentary answer on 19 June 1996, in which he said:

"Some of the printing of statutory instruments has been contracted out by HMSO for over 30 years as the most cost-effective way of producing them."

He admitted:

"A careful examination has recently been made of the legislation which refers to HMSO and the Queen's Printer. This has revealed that while the Queen's Printer can contract out the printing of statutes, this may not be the case for statutory instruments."—[*Official Report*, 19 June 1996; Vol. 279, c. *471*.]

So it appears that HMSO has been acting outside the law for more than 30 years in contracting out the printing of statutory instruments. The annual cost of such work is about £200,000, while HMSO's turnover is about £375 million.

The embarrassment for the Government is that the legal force of all statutory instruments so printed by contracting out might be subject to legal challenge on the basis that the statutory instrument was illegally printed. The Government are obviously very concerned that, once that is known, a whole range of organisations could engage in litigation against them, so the Chancellor introduced a Bill on 20 June to put right that defect. The legislation is retrospective, in order to validate those statutory instruments printed by contracting out over the previous 30-odd years.

The written answer mentions 1965 as the date of the earliest reference in the records to the fact that HMSO was sub-contracting the printing of statutory instruments. Clearly the implication is that that happened under Labour Governments—indeed, that it may have begun under a Labour Government. The House will no doubt therefore expect the full co-operation of the official Opposition in rectifying that unfortunate anomaly, which apparently puts in question the validity of thousands of statutory instruments.

What could be more reasonable than for the Chancellor of the Duchy to bring before the House a problem and its remedy at the earliest opportunity? At the same time, he invites the House to enable the Queen's printer, the residual HMSO, to contract out the printing of statutory instruments after privatisation. After all, we are told that that is the most cost-effective method of printing them, as HMSO discovered in 1965 or earlier. So the Minister for open government is behaving openly with the House. He is behaving most scrupulously, properly and courteously, as we have come to expect.

Let us now return to 18 December 1995, and the right hon. Gentleman's statement that no primary or secondary legislation would be required for the privatisation of HMSO. I recall being surprised by that response, because I had asked the Library to check whether primary or secondary legislation would be required. I have here a letter from the Library—surprisingly, it is dated the very same day, 18 December 1995—and I shall make it available to the House. It says:

"An order will be made under part I of the Deregulation and Contracting Out Act 1994, which will deal with the ability of HMSO to fulfil its function as Queen's Printer under the Statutory Instruments Act 1946, and will make clear that, as long as the duty to procure and print is done under HMSO's superintendence and authority, the statutory requirement will be met . . . HMSO will have no in-house printing capability."

How can the Chancellor of the Duchy explain that, on the same day that he told the House that no legislation would be required, it was admitted within his Department that secondary legislation would be necessary? Where else can the Library's information have come from?

I now return to the right hon. Gentleman's written answer of 19 June, and his statement:

"A careful examination has recently been made of the legislation which refers to HMSO and the Queen's Printer."—[*Official Report*, 19 June 1996; Vol. 279, c. *471*.]

The Office of Public Service's background briefing to the Bill, issued after 19 June, says:

"The potential problem was first discovered as part of research into HMSO's statutory functions while options for its future were being evaluated before last year's announcement that it was to be privatised."

When was that announcement made? The right hon. Gentleman made his initial announcement on 27 September 1995, and published a written answer on 17 October. So—here I come to the point raised by my hon. Friend the Member for Workington (Mr. Campbell-Savours)—the problem was known about as early as late September 1995, and certainly by 17 October.

Indeed, rumours are circulating that the need for retrospection has been known in Whitehall for about two years. If that is true, it casts serious doubt on the veracity of the right hon. Gentleman's statements, and especially on the argument that the need to validate statutory instruments printed under contract is the major purpose of the Bill before us.

Another question arises. If the right hon. Gentleman knew in September 1995 that there was a problem, why did it take him until 19 June 1996 to tell the House? He is the Minister responsible for open government. Was he not failing in his duty to the House, especially when he was pressed on whether primary or secondary legislation would be needed?

The Chancellor of the Duchy will reply that it would have been incompetent and irresponsible to tell the House and the country that there was a problem until he could announce the solution. Such an action would have been tantamount to an invitation to a range of organisations legally to challenge the force of individual statutory instruments on the grounds that they had been printed illegally.

The Department had been advised that it would be inappropriate to deal with the problem by means of a deregulation order, but the House deserves a fuller explanation of this inappropriateness. Was it inappropriate as a vehicle for contracting out the future printing of statutory instruments, or would a deregulation order be an inappropriate vehicle for retrospective action? If it was the latter, I think that the House would agree.

I have done some research on this matter, and I am advised by the Clerk of the appropriate Committee that the Deregulation and Contracting Out Act 1994 has not been used retrospectively hitherto, although it is not impossible that it may be so used at some time in the future. My advice is that it is more likely to have been thought inappropriate because an order under the 1994 Act must remove a burden from business.

Mr. Steen: Is the right hon. Gentleman suggesting that orders might fall within the issue of printing, and that orders under the contracting-out legislation should be printed in-house and included as statutory instruments?

Mr. Foster: No, I was making the more simple point that the Government knew before December 1995 that there was a problem. Originally, they considered that the solution might be to bring in orders under the Deregulation and Contracting Out Act 1994. I was wondering aloud why it was thought inappropriate to deal with the problem in that way.

Mr. Simon Hughes: I am following the argument of the right hon. Gentleman, and I understand it. But the main question remains to be asked and answered—either something needs regulation that allows it to be contracted out or it does not. Yes, people giving advice can change their minds, but the right hon. Gentleman is entitled to hear from the Government—and we are entitled to have it on the record—whether the contracting-out legislation

[Mr. Simon Hughes]

will apply to this measure. I encourage him to pursue that argument, as a lot of people outside are waiting for a clear answer.

Mr. Foster: I am grateful to the hon. Gentleman for his intervention. The question that I was entertaining was whether the Deregulation and Contracting Out Act 1994 was about to be used to deal with the problem of contracting out printing, or as a means of retrospectively validating those statutory instruments that have been illegally printed for the past 30 years or so. It struck me that the legislation was probably designed to deal with the former problem.

If the Government were focusing in December 1995 on the former problem and how it was to be dealt with in the future—and if the 1994 Act was the legislative vehicle for dealing with it—retrospection was not part of the solution they were seeking. That is my argument. Was it inappropriate or inconvenient to the Chancellor? That would clearly contradict his statement on 18 December 1995, as it would have been far more difficult to mask the deregulation orders linked with the privatisation of HMSO.

In that event, the Minister with responsibility for open government might even be required to return to the House to admit having misled it on 18 December. Moreover, as he had made his statement on 18 December, when, as I have already demonstrated, the need for legislation was already known within his Department, he might even have had to admit knowingly misleading the House. Of course, he might be able to plead, "No one told me," or, "I was not shown the papers," according to the distinguished precedent of the Prime Minister in front of the Scott inquiry.

To return to his written answer of 19 June, the Chancellor of the Duchy also said:

"Meanwhile, HMSO will enter into no more external printing contracts for statutory instruments."—[*Official Report*, 19 June 1996; Vol. 279, c. *471*.]

Yet I understand that the present contracts continue until 1998. Again, that touches on the point raised by my hon. Friend the Member for Workington—why the Chancellor did not take action to deal with the illegality as soon as it was known, perhaps as early as the end of September 1995.

Although the present contract continues until 1998, my legal advice is that existing contracts for printing statutory instruments cannot exist in law, because they have been entered into ultra vires. So legitimate questions arise: will HMSO continue with the present contractual arrangements, even though the contracts have no legal force; or, if the contracts continue, will they transfer to the residual HMSO or be expected to transfer to the privatised HMSO?

If the contracts are to be discontinued, how will the printing of statutory instruments be arranged? Until the Bill becomes law, HMSO cannot enter into new contracts to have them printed, because the Chancellor has instructed it not to do so. HMSO will be obliged, therefore, to undertake the printing of statutory instruments in-house.

I understand that the Parliamentary Press will be unable to cope with the extra work until the recess, so until then who can legally print statutory instruments? Perhaps the Chancellor will deal with that when he replies. Moreover, I understand that the work force at the Parliamentary Press are on contracts that require them to close down during the recess, so it will be unable to take on the printing of statutory instruments then.

Surely, as my hon. Friend the Member for Workington said, the Government were obliged to stop HMSO contravening the law as soon as the illegality was known—as early as September 1995—but certainly as soon as it was publicly admitted. The Government and Parliament cannot condone the continuation of illegality on the basis that it is soon to be rectified. That presumes that the Bill will receive Royal Assent, which is highly likely but not certain.

It is also not certain when it will receive Royal Assent, as it has yet to go to another place. If the Bill did not receive it until after HMSO was privatised, there would certainly be complications, for the privatised Stationery Office could not legally print statutory instruments, and the Queen's printer or the residual HMSO would have no in-house printing facility.

An extract from the edited information memorandum dated 3 April 1996 reads:

"bids should be based on the assumption that the work currently done in house would be assigned to the stationery office"—

that is, the privatised HMSO. However, in his letter to the *Financial Times* dated 21 June 1996, which has already been referred to, the Chancellor of the Duchy said:

"bidders are proceeding on the basis that the printing of all statutory instruments would be carried out by the public sector."

Which is it?

Mr. Freeman: With the permission of the Chair, I will answer all the other points later, but, for the sake of clarity, it may help the debate if I answer this specific point now.

We have made arrangements for the shortlist of bidders to proceed on the basis that residual HMSO hires, in its own name, up to 16 staff, working for residual HMSO on plant at the Sovereign Press at Elephant and Castle, not the Parliamentary Press, to print statutory instruments in full accordance with the 1946 law. As I have told the House, that would increase the cost to the public sector, but it is a procedure that I have set in hand in order to ensure that the privatisation of HMSO is separated from the merits of the Bill.

Mr. Foster: I understand that fully. I understand that the Chancellor is making contingency arrangements against the non-passage of the Bill. I was trying to seek clarification. The background information document produced by the Office of Public Service gives the impression that bidders should proceed on the basis that the work would be done in the privatised HMSO. Yet, in his letter to the *Financial Times* of 21 June, he said that it will be dealt with in the public sector.

Mr. Freeman: I am sorry that I did not answer that point. The information document was issued before the statement to the House. The action I have taken, which is the most up-to-date position, is subsequent to the issue of the information document. We have not placed an amended version in the Library, because I have reported directly to the House. I have reported the most up-to-date position, which reverses that in the information document.

Mr. Foster: That raises the question when the Chancellor changed the information available to the

House. I do not remember it being made available in the written answer of 19 June. Yet he wrote to the *Financial Times* on 21 June, giving the world what I consider to be new information that has not been given to the House and which contradicts information previously given to the House. That requires some explanation. I do not want to labour this, but there is a point that should be dealt with.

The Chancellor said that bidders should proceed on the basis that the work would be done in the public sector. When were the bidders told that, and in what form were they told? Can Parliament be shown the form in which the information was revealed? Why was Parliament not informed that the printing of all statutory instruments would be carried out by the public sector? What does the Chancellor mean when he says that the printing of statutory instruments will be carried out by the public sector? In fact, he just described in his intervention what he means by that. Presumably it will be carried out under the new arrangements at the Sovereign Press.

An even more fundamental problem arises from scrutiny of the extract from the edited information memorandum of 3 April 1996. The House deserves to know that the information memorandum was forwarded to all prospective private sector bidders. It says that the residual body will also discharge the functions of the Queen's printer in relation to the production and issue of statutory instruments. When was that important information given to the House?

It does not strike me as satisfactory that the document was placed in the Library, when it was being circulated to private sector bidders, especially as legislation on this matter was already under active consideration. It seems strange that the Government are prepared to reveal to private sector bidders for HMSO what is not drawn to the attention of the House.

I want now to demonstrate the inextricable linkage of the Bill to HMSO's privatisation. We all agree that the law as it now stands requires the printing of statutory instruments by the Queen's printer—HMSO. But after privatisation, the Queen's printer, or the residual HMSO, will have no in-house printing facility. Therefore, after privatisation, the Queen's printer will be unable to fulfil the requirements of the law as it now stands.

Therefore, is not the major purpose of the legislation to allow the Queen's printer to sub-contract the printing of statutory instruments after HMSO's privatisation, not the retrospection, as is being pretended? If HMSO was not privatised, HMSO, remaining in the public sector, could fulfil the requirements of the law as it now stands.

The Chancellor will argue that HMSO, remaining in the public sector, could not have fulfilled the requirements of the law as it now stands, because, at the moment, £200,000 worth of work is done in the private sector under contract. That is not a huge amount compared with HMSO's total turnover of £375 million. Surely the flexibility could have been achieved to bring an additional £200,000-worth of work back into the public sector, thus allowing HMSO to fulfil the requirements of the law as it now stands.

Of course, the retrospection would still have to be dealt with, and no one is arguing to the contrary, but the claim in the House of Commons on 18 December that the privatisation of HMSO did not require any primary or secondary legislation would have been seen to have been false.

It might have been desirable to change the law to allow HMSO in the public sector to sub-contract the printing of statutory instruments, but it would not have been necessary. The Bill, or some other primary or secondary legislative vehicle, would have been necessary to permit a residual HMSO after privatisation to continue printing statutory instruments.

Had the Chancellor introduced a simple Bill to allow the sub-contracting of the printing of statutory instruments by the residual HMSO, it would have been clearly seen as a measure required by HMSO's privatisation. But he has conceived the ingenious device of including retrospective validation of statutory instruments printed during the past 30 years. Is it not remarkable that, although the legal force of statutory instruments has been challenged a number of times in 30 years, no one has so far sought to challenge them on the basis that they have been illegally printed?

Is it not the truth that that has been known about for some time in Government, but it was not thought serious enough to be dealt with except when a convenient legislative vehicle cropped up? Suddenly, when some legislation was required because of HMSO's privatisation, an opportunity to deal with that anomaly has arisen.

If the Chancellor had legislated separately, I am sure that the House, and perhaps even the other place, would have dealt with the retrospective element without fuss. The other element, required only because of HMSO's privatisation, could have been dealt with on its merits.

I have dealt with the matter at some length, because the burden of proof is on the Opposition to demonstrate that the legislation was prompted by the privatisation of HMSO. I hope that I have demonstrated that the link is far stronger than that of being "prompted by"—rather, that there is an inextricable link between the Bill and the privatisation of HMSO.

The Bill will have retrospective effect to validate all the statutory instruments hitherto printed by contractors. The House is always reluctant to pass legislation which has retrospective effect, and rightly so. Generally speaking, retrospective legislation is said to be undesirable as repugnant to the rule of law, but there are degrees of retrospectivity.

Legislation that makes legal past actions, decisions or circumstances, especially by public officials or bodies that were thought to be legal by all concerned but which have turned out to be been unlawful, or probably so, may not be regarded as particularly undesirable per se. I have no hesitation in endorsing the Government's perfectly understandable wish to remove all uncertainty by retrospectively validating all statutory instruments printed by contract over the past 30 years. It would be churlish of a Government-in-waiting to withhold their approval for that part of the Bill.

I turn briefly to the progress of privatisation, having established the link, because the House may not have another opportunity to debate the issue. The main thrust of the Chancellor's argument for privatisation was that, to safeguard jobs and expand job opportunities, HMSO should be allowed to operate in both the public and private sectors. For example, he said:

"it is important that HMSO—the Stationery Office, as it will become in the private sector—has the ability to compete in the private sector for private sector work."

The Chancellor also said:

"HMSO needs the freedom of the private sector to compete on equal terms for public and private sector work. Such trading opportunities will mitigate those job pressures, and, if a privatised Stationery Office is successful in marketing, will mean that more jobs will be available than would otherwise exist."—[*Official Report*, 18 March 1996; Vol. 274, c. 84-86.]

If hon. Members would care to re-examine the written memorandum made by the Chancellor to the Finance and Services Committee, they will see that it

"proposed the sale by the summer of 1996 noting that HMSO was constrained by its status from competing for business outside the public sector at a time when its central Government market was shrinking. In these circumstances there is a real risk that the business will decline unless HMSO can widen the markets. Privatisation will therefore offer the best chance of a healthy and dynamic future for HMSO and its staff".

The Chancellor argued that HMSO's public sector market was declining, yet the advice that I have received makes it clear that none of the private sector bidders has serious plans to enter the private sector in the short or the medium term. Indeed, each bidder has identified that the key to HMSO's continued success is to ensure that it progressively takes a larger share of the public sector market. They argue that that is the sector where HMSO is best known and has the greatest expertise.

That is hardly surprising, because, if hon. Members would care to examine the extract from the edited information memorandum of 3 April 1996, which appears on page 25 of the excellent research document produced by the House of Commons Library on 28 June, they will see that HMSO's share of £271 million of the total United Kingdom public sector market of £3,155 million is only 8 per cent. The memorandum goes on to admit:

"HMSO's market share still leaves a significant opportunity for a potential purchaser to capitalise on HMSO's existing capabilities and target the markets available even within the public sector."

That is from the Minister's official document, published by the Office of Public Service. Why did the Chancellor not admit that when he was pressed in the debates of 18 December and 18 March? When his own document admits that there is considerable scope for increasing market share within the public sector, and when his private sector bidders admit that they see the continued success of HMSO in taking an increasing share of the public sector market, why could the Chancellor not see that?

Why was the Chancellor not given that advice by his extensive consultants—or was he given it, and did he choose to ignore it? If the private sector bidders have reached this conclusion in the short time available to them, does that not remove the Chancellor's strongest argument for the privatisation of HMSO, and is it not clear that his madcap scheme to privatise it has been an expensive waste of time, damaging to HMSO but devastating to many staff who now find themselves redundant, while those who remain in their jobs face further swingeing job cuts?

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the right hon. Gentleman continues, let me say that, although I know that he has established a link between the Bill and the general privatisation issue to his own satisfaction, it is a very thin, weak link. It would be better if he related his remarks more closely to the Bill.

Mr. Foster: Far be it from me, Madam Deputy Speaker, to argue with your statement that it is a rather weak link, but I thought that I had established a stronger link than appears on the Order Paper, and I should have thought that the link on the Order Paper would allow me to make a few remarks about the privatisation of HMSO. But of course I accept your ruling.

Mr. Garrett: On a point of order, Madam Deputy Speaker. Does your ruling mean that—notwithstanding the amendment's reference to Second Reading of the Bill resulting from the privatisation of HMSO—we must assume that no reference can be made to the current state of the privatisation and its impact on my constituents?

Madam Deputy Speaker: There must be a link with the Bill. If the hon. Gentleman looks closely at the amendment, he will find that it is cautiously worded. That, I think, reflects the understanding that, although passing reference can be made to the privatisation, it cannot become the main topic of the debate.

Mr. Foster: Thank you, Madam Deputy Speaker.

I will end my remarks in the next few minutes, but I do not think that I should do so without reminding the House that, according to his original announcement, the Chancellor's initial intention was to deal with uncertainty—uncertainty that was caused by the Government in the first place.

The Chancellor's preferred bidders are now making it clear that the period of uncertainty that has been so damaging to HMSO, and especially to its staff, has been completely unnecessary. HMSO had had great scope to expand its business while remaining in the public sector, but under privatisation the uncertainty, far from being dealt with, will continue. Each bidder makes it clear that further job losses will ensue after privatisation, and there is a growing belief that the work force will decline from its present 2,500 to about 1,500. Consideration is already being given to the closure of plants around the country.

The Chancellor will remember that, on 18 December 1995, when he was arguing that legislation was not required, he gave my hon. Friend the Member for Linlithgow (Mr. Dalyell) an assurance about HMSO units in Scotland, Wales and Northern Ireland. He said:

"I can give the hon. Gentleman an assurance that the future of those units, and any others, will be made clear before any contract is negotiated and signed."—[*Official Report*, 18 December 1995; Vol. 268, c. 1281.]

How does that square with the trade union side's evidence that, following discussion with the bidders, some bidders are more interested in the capital value of such sites than in running HMSO? When will the Chancellor make clear the future of the units mentioned by my hon. Friend the Member for Linlithgow? His deadline for completion of the sale of HMSO is fast approaching.

What possible excuse can the Chancellor now have for persisting with the privatisation of HMSO? The bidders have no plans for it to sell in wider markets, and no plans to raise capital in the private sector. The proposal has already caused huge uncertainty for HMSO and its staff over the past two years; the staff has been continually downsized, at great public expense; some £26 million has been spent on redundancies over the past 18 months, and further sums are still to be spent. The staff do not want the privatisation, and HMSO's customers certainly do not want it. There are still reservations in parts of the House.

Madam Deputy Speaker: Order. In his enthusiasm, the right hon. Gentleman may have forgotten my

strictures. He must relate his remarks more closely to the Bill, and not deal with the general issue of privatisation, which is separate from the Bill.

Mr. Foster: I thought when you were addressing my hon. Friend the Member for Norwich, South (Mr. Garrett), Madam Deputy Speaker, that I had brought in a reference to the Chancellor's earlier statement about there being no need for legislation. Having dealt with that extensively, I thought that that brought me back within order—but I have reached the final paragraph of my speech.

As I have said, I am certain that HMSO's customers do not want the privatisation, and there are still several reservations in both the House of Commons and another place. What possible excuse can the Chancellor have, except stubbornness and dogma? I plead with him, even at this late stage, to halt the proposals, and have done with his madcap scheme.

5.6 pm

Mr. Anthony Steen (South Hams): It is very rewarding to be in the Chamber, Madam Deputy Speaker, when you remind hon. Members other than me that they should not depart from the limited subject of the Bill—

Madam Deputy Speaker: Order. The hon. Gentleman must remember that I do not exclude him.

Mr. Steen: That is why I prefaced my remarks in such a way, Madam Deputy Speaker. You will be pleased to know that, as a result of your strictures, my speech has been cut dramatically.

I want to make a limited comment on both the Bill and the statutory instruments. We should welcome the Bill. When the Government find something that is not right and bring it to the House to try to put it right, we should support the Government and the Minister. I shall certainly do that this afternoon. An error was made, but it was not made by the present Government: successive Governments made an error in not spotting the problem. It was discovered only as a result of some digging in the archives. We should congratulate my right hon. Friend the Chancellor of the Duchy of Lancaster on giving us such a clear explanation of his actions.

As I said in my interventions, the suggestion that something is buried in the closet, that there is some secret or that the Opposition have been given an excuse to raise any number of hares is not what this modest measure is about, but it does raise one or two issues. First, statutory instruments have clearly become a fashionable device. In 1946 there were not many of them, but in the last two years 8,097 new statutory instruments have emerged. Only 30 have been repealed, however. Whereas in 1946, or 1964, the printers were not greatly occupied with statutory instruments, in the past few years they have printed an awful lot of them. In the absence of this helpful measure, they would all have to be printed in the House, which would in fact be impossible. This simple Bill is merely intended to correct an anomaly.

We spent 16 hours and 11 minutes on the Floor of the House, and 92 hours and 56 minutes in Standing Committee, debating the Bill that became the Deregulation and Contracting Out Act 1994, which was mentioned a number of times by the right hon. Member for Bishop Auckland (Mr. Foster). I am not saying that, as a result of the Act, the Government have not pursued deregulation. They set up a Deregulation Select Committee as the flagship of the whole policy, but, regrettably, only 30 deregulation orders have resulted in the 51 hours it has sat. Such orders are not statutory instruments, but is an amendment needed to the Bill to allow the deregulation orders to be lawful? Otherwise, deregulating gaming machines, greyhound racing, parking equipment and the long-pull order may be ultra vires.

There may be a nexus between statutory instruments and deregulation orders, even though they appear to be separate. It would help to know whether the 30 deregulation orders that have come out of the Deregulation and Contracting Out Act should be added to the 8,097 statutory instruments, or whether nothing further is needed to make those 30 orders lawful. It would be appalling if, in 50 years' time, we found that the Deregulation Select Committee were passing orders and having them printed in a way that we could put right today, so could my right hon. Friend the Chancellor deal with that point in his winding-up speech?

The Bill has given us an opportunity to raise such points and the problem of the statutory instrument, which is becoming more and more a way of life in the House, creating more and more rules and regulations. My right hon. Friend the Chancellor has come to correct an anomaly, but the statutory instrument has become a modus vivendi. To pass statutory instruments has become a culture. I should be upstairs considering one now. Like human lemmings, we just rush on. As you often say, Madam Deputy Speaker, "We must move on," but no one dares ask why. There is a danger that we will pass more and more statutory instruments and find a new device for getting them printed in new and more exciting places, without tackling the issue.

Because of the constraints to which you referred, Madam Deputy Speaker, however, it would be inappropriate to talk about the problems of statutory instruments, the fact that they are secondary legislation and the enormous number that are going through the House. The issue involves simply correcting an anomaly. We should not make another mistake with the orders coming out of the Deregulation and Contracting Out Act.

5.12 pm

Mr. Jim Marshall (Leicester, South): I should make it clear at the outset that I am a member of the parliamentary group of the Graphical, Paper and Media Union, that I was formally sponsored by it, but that I now receive no sponsorship personally. Union members who work in Her Majesty's Stationery Office will be as disappointed as me at your ruling, Madam Deputy Speaker, when you made it clear to my right hon. Friend the Member for Bishop Auckland (Mr. Foster) that you were not prepared to permit a much wider debate on the issue surrounding the privatisation of HMSO.

My view remains that we still need a further opportunity to discuss the privatisation and, if you are not going to permit it on this occasion, Madam Deputy Speaker, I hope that the Government, through the occupant of the Chair, will arrange a further debate. Clearly, problems surround the privatisation. Fears remain. All HMSO employees have the right to have those fears voiced in the House of Commons and to receive some response from the Government.

[Mr. Jim Marshall]

I repeat the point that I made to the Chancellor in an intervention. I am still astounded that this illegality could have persisted for 30 years without anyone having spotted it. The Chancellor referred specifically to the 1946 legislation. It is clear from that legislation that the printing of statutory instruments by private contractors is not permitted.

It may not have come to light for 30 years, but could the Chancellor give us a little more detail on how—not when—it came to light in the context of the discussions on privatisation? He was specific on the dates, but when I asked him my question, he did not pay specific attention to the point, so I would like to know the mechanics of how the error came to light. I am not accusing the Chancellor of behaving dishonourably. I just want a clear and specific answer, if there is one.

In view of your ruling, Madam Deputy Speaker, I must tread carefully, but I can remain in order for a couple of minutes without your having to draw attention to my lack of order. I refer to two comments by the Chancellor. He said that the Bill would have no effect on the date of the HMSO sale to the private sector. If it is not going to delay the date, will he please give us the specific date the transfer is likely to take place? We were told that the sale might be in June or July. We now hear rumours that it could take place as late as September or October, so will the Chancellor clearly say when it is likely to take place?

The Chancellor said that the printing of statutory instruments was marginal to HMSO's business. I heard the figures that he quoted, but clearly it would have some impact on HMSO jobs, although the effect would be marginal. In that context, the right hon. Gentleman said that the point of the Government's policy was to safeguard jobs—a point to which my right hon. Friend the Member for Bishop Auckland referred before he was ruled out of order. The Chancellor said that the point of substance was

"to safeguard jobs and expand job opportunities. HMSO should be allowed to operate in both public and private sector markets."—[*Official Report*, 13 December 1995; Vol. 268, c. 999-1000.]

That is the Government's basic position. They believe that the privatisation of HMSO will safeguard jobs and provide greater opportunity. Does the Chancellor believe that any of the four present bidders will be able to fulfil the Government's aspirations?

To repeat the point that I made earlier, I am extremely disappointed that we have not been able to have a wider debate on the privatisation of HMSO. I just hope that there will be a further opportunity before the privatisation becomes a fait accompli.

5.18 pm

Mr. Simon Hughes (Southwark and Bermondsey): I apologise to the House for the fact that I am dealing with this issue, rather than my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith). Were he not at home for family reasons, he would be here in his capacity both as the person shadowing the Department from which the Bill comes and as the person who, coincidentally, replies on behalf of the House of Commons Commission on these matters, which involve the view of the House and of Madam Speaker, on behalf of the House.

The Bill reminds me of a late and much lamented constituent of mine, Paul Eddington, who provided great amusement and happiness in his representation in "Yes Minister" of discussions behind closed doors, and sometimes not, between the Prime Minister and members of his Cabinet. That portrayal was in theory simulated, but many of us thought that it was not far from the truth. The Bill is real "Yes Minister" legislation. I am prepared to accept the Duchy's explanation that the measure arose from the discovery that the body responsible for producing parliamentary papers has been acting illegally for 30 years—an extraordinary conclusion.

The other person who would have made a meal of this debate, if he had been on form and taken an interest, was the late and also much lamented Ian Gow, the previous but one Member of Parliament for Eastbourne. He would have enjoyed commenting on the measure, because it may be a mouse of a Bill but it raises an important constitutional principle.

Clause 1(1) states:

"The Statutory Instruments Act 1946 shall have effect and be taken always to have had effect".

This is a rewrite history Bill. Whatever actually happened, if the Bill becomes law, we will have decided that it did not happen that way. How often since the present Administration came to power in 1979 have they introduced a measure to legislate retrospectively? I can think only of the War Crimes Bill of 1991. We should not take that step lightly, no matter how serious or insignificant the legislation—and such a course should put us on our guard.

The Chancellor did not tell the hon. Member for Leicester, South (Mr. Marshall) how the people responsible for producing parliamentary papers acted illegally for 30 years. Surely somebody had written down that certain work had to be produced in-house, whereas other work could be contracted. The Bill is about the fact that, for 30 years, HMSO contracted out statutory instrument printing when it was not allowed to do so. What explanation has the Chancellor been given? It is hardly accurate to say that the circumstances have been lost in the mist of time, in the sense that the restriction was not breached from the beginning. I have not heard the Chancellor argue that the printing of statutory instruments was contracted out from 1946 to 1965—he said that it suddenly happened.

I accept that it may have been cheaper to contract out that work, and may continue to be. However, it would be even more bizarre to revert to the legal position for the time during which the Bill passes through both Houses, then change to the new legal position that was the legal position all the time. I do not imagine that Mr. and Mrs. and Miss Public go to an HMSO sales office principally to buy statutory instruments. Nevertheless, there is a market for those documents among libraries and local government offices and, as secondary legislation, they are an important part of the constitution.

As the hon. Member for South Hams (Mr. Steen) said, there are numerous statutory instruments. One such measure will come before the House later—the Landfill Tax (Qualifying Material) Order 1996, SI 1528. There are many such measures, and they are important.

I have a direct interest and an indirect interest to declare. The Parliamentary Press is located in Mandela way in Southwark, in my constituency. I was present at

the opening of that press, which serves both Houses, together with former Speaker Weatherill. Bills, Acts, Lords Minutes of Proceedings, Order Papers, Vote bundles, the debates in both Houses, the proceedings of Select Committees and Standing Committees, statutory instruments, the *London Gazette* and associated parliamentary papers

"for the wheels of parliamentary democracy to turn"

are produced day and night. I am informed that those publications amount to 250,000 pages a year.

I pay tribute to the work done at the Parliamentary Press, including by some of my constituents, and to its professionalism. I share the view expressed my by hon. Friends in previous debates on HMSO—I shall not rehearse those points, for reasons that you have made clear, Madam Deputy Speaker—for we have never been persuaded not to continue the existing arrangements, by which the work is done well. It is a highly efficient and competent operation, and every employee who has contacted me wants the press to remain as it is and under its present management, not sold off.

I have an interest also in the Sovereign Press at the Elephant and Castle, which is also in Southwark, but SE17 as opposed to SE1. That is the small bit of Southwark that the boundary commission designated to be absorbed by my constituency in the next general election, which the House has approved. I hope also to represent that part of Southwark, the electors willing, in the next Parliament. I am grateful for the work that both presses have done, in-house or otherwise, on statutory instruments in the past.

When I intervened on the right hon. Member for Bishop Auckland (Mr. Foster), I queried why a deregulation order was needed last December but not now. If there is now no need for such an order, why not? Who decided that, and when? Although I have not made an analytical survey, one matter that excites the House is that it is regularly asked to approve statutory instruments when their date of implementation has passed. My understanding is that, because of the pressure of business, hon. Members are bounced—a measure can be put into effect without being debated. If I am wrong, I stand to be corrected. Otherwise, it seems that we are perpetually debating retrospectively, which is extremely bad law making.

Although I am a lawyer, I never wanted to be a parliamentary draftsman. However, I do not understand why parliamentary draftsmen proceed in the way that they do. Why have a separate Statutory Instruments (Production and Sale) Act 1996 rather than amend the 1946 legislation and have a measure entitled the Statutory Instruments (Amendment) Act 1996? As someone who once practised in the courts, I know that the bane of lawyers, let alone of lay people, is to track back linked pieces of legislation. Hon. Members have a duty not only to speak in plain English but to legislate in a simple and linked manner.

The Bill is only a small amendment to a more substantial Act, and it does not add to that Act at all. The notes on clauses say that the Bill is to amend sections 2(1), 3(1), 3(2), 4(2) and 8(1)(c) of the 1946 Act. For heaven's sake, why do we not call it the Statutory Instruments (Amendment) Bill, so that everyone knows the score?

This is a mouse of a Bill. I accept the Chancellor's arguments that, having discovered the illegality, we should correct it. I only wish that the Government corrected their other illegalities when courts in this country or in Europe rule that they are acting illegally, and that they did not seek retrospectively to change the law to pretend that what was illegal is now legal. Generally, it is bad law to act retrospectively—but it is a very odd state of affairs when the people charged with producing the law were, for 30 years, behaving illegally.

If that type of situation has not already been scripted by the successors of the late Paul Eddington, it would make a valid script for a future episode. I am sure that the Chancellor could get a walk-on part if, as I hope, he and his colleagues are by then in opposition. They may need walk-on parts to supplement their salary, however much we increase it next week.

5.31 pm

Mr. Freeman: With permission, I should like to deal briefly with some of the points raised in this brief debate.

The right hon. Member for Bishop Auckland (Mr. Foster) raised points of substance. First, he correctly referred to my remarks of 18 December 1995, when I informed the House that, on the advice that I had, no legislation was needed—primary or secondary—to effect the privatisation of HMSO.

On 18 March, I informed the House that I had to qualify that statement. For the convenience of the House, I shall remind the right hon. Gentleman of what I said in that Supply day debate. I mentioned the need, in order to wind up the trading fund, to introduce an

"order under section 6 of the Government Trading Act 1990 simultaneously with the sale."—[*Official Report*, 18 March 1996; Vol. 274, c. 89.]

No other legislation, primary or secondary, is needed to effect the privatisation of HMSO, because, as I have said, the Bill has nothing to do with the privatisation of HMSO. The privatisation of HMSO can proceed regardless of whether the Bill is passed. The Bill's purpose is to achieve the wider objectives of good government and to ensure the avoidance of any doubt in the minds of those who might seek to challenge the validity of statutory instruments.

Secondly, the right hon. Member for Bishop Auckland asked whether the Deregulation and Contracting Out Act 1994 and an order under that Act were ever relevant, and whether they could be relevant. That is news to me. The 1994 Act—despite whatever any research papers may have said—could not have been used to deal with the situation because it could not contain retrospective powers. Of course, well-intentioned comment on the situation, was and still is in perfectly good order, but at no stage was it the Government's intention to proceed, for the reasons that I have given.

Thirdly, the right hon. Member for Bishop Auckland asked why there was a delay. He has extensive knowledge of government, and he aspires to an even greater experience of government. He knows very well that in these circumstances I could not come to the House with a problem without a solution. If I came to the House with a problem and said that I would go away and think about a solution, he would wisely, sensibly and quite correctly criticise me. I have long since realised that the identification of a problem is an easier stage than identifying the correct solution.

[Mr. Freeman]

Fourthly, the right hon. Member referred to the disparity between what was said in the information document, which was issued at a much earlier stage—in April—and what was said in the House. I do not have the information memorandum in front of me, but I recall—if I am wrong, I shall write to the hon. Gentleman—that it referred in very general terms to the fact that arrangements for the production and issue of statutory instruments were under review and that arrangements might change. That was true at the time.

We informed the bidders of that fact. The bidders were first advised of the change at the same time as I answered a parliamentary question, on 19 June, specifying the problem and identifying the solution. That was at exactly the same time as the House was informed. I shall certainly re-examine the point to ensure that the information I am now providing on the basis of my recollection and brief notes is correct.

Fifthly, the right hon. Member asked whether the residual HMSO can comply with the 1946 Act, unamended. The Government legal advice that I have is that, by ensuring that the Queen's printer has an additional 16 staff and by leasing assets owned by others—a possible privatised stationery office—the Queen's printer could be acting in accordance with the 1946 Act by using the printing presses of Sovereign Press at night. That is why I argued that a residual HMSO could meet the requirements of the 1946 Act, unamended.

Finally on the questions of the right hon. Member for Bishop Auckland, perhaps I can be positive and constructive and announce—although you asked me not to talk about privatisation, Madam Deputy Speaker, and I shall not—that, in response to his perfectly fair point about the timing of privatisation, I should like to meet the trade unions before a preferred bidder is selected. I should like to listen to their concerns, as raised by the right hon. Gentleman—which I shall not seek to answer now—about location and the continuation of certain printing plants, and their views about the vires, standing stability and future plans of the shortlist. I give the right hon. Gentleman, and through him the trade unions, that assurance. I look forward to that meeting.

My hon. Friend the Member for South Hams (Mr. Steen) asked whether an amendment was needed to make all deregulation orders valid. Of course the answer to that question is that deregulation orders are statutory instruments. Therefore, I am happy to confirm to him that they would be covered, even those issued—there are no more than a couple of dozen, but the rate is improving—since the 1994 Act came into force. But, of course, that was before the Bill was published.

The hon. Member for Leicester, South (Mr. Marshall) asked why the practice remained undiscovered for 30 years. The hon. Member for Southwark and Bermondsey (Mr. Hughes) also asked that question, among others—which I shall try to answer in a moment. I do not have a convincing answer. I suspect that the increase in the volume of secondary legislation after the war sensibly caused HMSO to concentrate on contracting out to save money for the taxpayer.

Management must have believed, as most reasonable people would have done, that—as the law permitted contracting-out work for Acts of Parliament and other public sector work—it was perfectly in order and sensible for them to assume that statutory instruments could also be contracted out. Clearly no one went back to check the fine print of the law; that has finally occurred—at a very late stage—only because of the continual rechecking required by Government counsel before the privatisation of HMSO.

Mr. Steen: The Chancellor has explained very well the reasons why the Bill is necessary. Will he tell the House what would happen if there were a Division on the Bill, the Government were defeated and the Bill did not make progress?

Mr. Freeman: The right hon. Member for Bishop Auckland made it clear that the Opposition also believe in good government. The Bill itself is not the issue, and I am grateful to the right hon. Gentleman for his assurance on that score.

The hon. Member for Southwark and Bermondsey asked three questions. The first related to the procedure for statutory instruments subject to the negative resolution—they come into operation, whether or not there is a debate. If there is a successful prayer against a statutory instrument, it is revoked, but without prejudice to the validity of anything done in the interim. That is provided for in section 5 of the Statutory Instruments Act 1946. We have been operating according to these principles for 50 years. It is always open to any political party to suggest a change, but they are the rules. If an instrument has to be approved in draft—under the affirmative resolution—it cannot be made without the necessary affirmative resolution.

Mr. Simon Hughes: I am not trying to trap the right hon. Gentleman, but does he agree that, to the outside world, it must seem nonsense that legislation comes into force, we then debate whether we want it and, if we throw it out it, it disappears although it was law for the period between its coming into force and our debating it? That must be bad practice and should be improved, if only to give the public the certainty that something becomes law once the House agrees it and not before.

Mr. Freeman: Labour and Conservative Governments since the war have resisted amendments moved in Committee to strike out the negative and insert the affirmative when it comes to order-making powers under primary legislation. There is always a battle between the legislature and the Executive, and that battle will continue for a long time. It is appropriate always to focus on the merits of the argument in a particular case.

Secondly, I cannot say how many Acts passed since 1979 have involved retrospection, other than the War Crimes Act 1991. However, I shall write to the hon. Member for Southwark and Bermondsey on that matter.

Thirdly, the hon. Gentleman asked why the Bill was called the Statutory Instruments (Production and Sale) Bill rather than the Statutory Instruments (Amendment) Bill. I suspect that it has something to do with the long title and that the hon. Gentleman knows that as well as I do.

I commend the Bill to the House.

Question put, That the amendment be made:—

The House divided: Ayes 192, Noes 235.

Division No. 169] **[5.41 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Bermingham, Gerald
Berry, Roger
Blair, Rt Hon Tony
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Davidson, Ian
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John
George, Bruce
Godman, Dr Norman A
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hood, Jimmy
Hoon, Geoffrey
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jamieson, David
Jenkins, Brian *(SE Staff)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd, SW)*
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, William *(Normanton)*
Otner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pickthall, Colin
Pike, Peter L
Powell, Sir Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Salmond, Alex
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Stott, Roger
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Thompson, Jack *(Wansbeck)*
Touhig, Don
Trickett, Jon
Turner, Dennis
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mrs. Bridget Prentice and
Mr. Greg Pope.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clark, Dr Michael *(Rochford)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan

Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, Sir James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'ford)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Sims, Sir Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Mr. Roger Knapman.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 60 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Wood.]*

Question agreed to.

Bill immediately considered in Committee.

Clauses 1 and 2 ordered to stand part of the Bill.

Bill reported, without amendment.

Bill read the Third time, and passed.

Social Security (Overpayments) Bill

Order for Second Reading read.

5.57 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): I beg to move, That the Bill be now read a Second time.

The Bill arises because of a decision by Mr. Mesher, one of the social security commissioners, in a case numbered CIS 451/1995. The commissioner held that there was a need, where we review benefit because of a lie or concealment as to true circumstances, for the official then and there to determine the amount of overpayment. We are advised that this is correct as a matter of statutory interpretation of section 71 of the Social Security Administration Act 1992, which uses wording that has been in legislation since 1989. However, the consequences of that statutory construction, in terms of sound administration, are extremely serious.

What in practice happens is that when a fraud has been discovered, the local office dealing with the customer holds an interview and the truth comes out. The first decision that has to be made is to correct the benefit in payment for the future. That is the review. There are, of course, circumstances in which a spouse's earnings are declared and are found to be slightly less, so benefit goes on being paid. The situation must be put right at once in the interests of the customer and of the taxpayer, because we would not wish to go on paying benefit at a higher rate than should be paid.

At present, a specialist unit—or units—investigates subsequently exactly what has gone wrong. Classically, it may come out that somebody has been working, but there is an issue as to how much has been earned over what period. When that has been properly and fully investigated, the specialist unit determines the second decision: how much should be recovered and in respect of what period. That has been the practice of the Benefits Agency and of the Department of Social Security before it.

The effect of the decision is that that practice cannot continue. The two decisions—to review and correct the benefit and to determine the amount of overpayment to be recovered—must be determined by the same official at the same time. We have carefully considered whether it could be done if, for example, we were to throw means, resources and people at it. In practice, it cannot sensibly be done. We would have to take those cases off the main income support computer system and deal with them clerically. That would involve training staff. The House will appreciate that the main computer system deals automatically with matters such as direct payments, so accuracy would be bound to suffer. At the same time, we would have to upgrade the computer system to deal with everything at once.

All that would incur expenses—without the Bill, we would have to meet them—of about £30 million this year and £25 million thereafter. Even if we decided on that course of action, a new system could not be put in place immediately. It would take about nine months to set up. What would happen in the meantime until a new system consistent with the commissioner's decision had come into general operation? Adjudicating officers would have to continue reviewing benefit and deciding what benefits should be paid in future, but because they would no longer be in a position to make an immediate decision about the recovery of overpayment, that decision could not be made immediately and the amount lost would accordingly be irrecoverable at any stage by any means. In the process of implementing that administrative change, some £100 million in benefit would be irrecoverably lost.

It is not just an issue of whether we can operate according to the decision of the commissioner as a matter of practical common sense; we have decided that it would be wrong in principle and as a matter of sound administration. In cases of fraud, it is right and proper that the Benefits Agency should have the opportunity to investigate exactly how long that fraud has been going on and how much money is involved. That cannot be done immediately, as it may take a considerable time to establish all the facts.

We have concluded that two separate decisions are necessary—a review of the benefits to be paid in future and a later decision on the extent of the recovery of overpayment. Both decisions are taken by adjudicating officers whose determinations are appealable.

I should stress that we are discussing benefit repayment when people have lied to the Benefits Agency about their circumstances or concealed the truth. In its paperwork—order books, giro cheques and leaflets—the Benefits Agency takes great pains to explain to people that they have a duty to inform the agency of changes of circumstances as they occur.

As a matter of statutory construction I am advised that the commissioner is correct, but in practical terms it is not a satisfactory state in which to leave the law. How law and common sense became separated is, I regret to say, a matter of mystery.

Mr. Robert Jackson (Wantage): That is not uncommon.

Mr. Evans: As my hon. Friend says, it is not uncommon.

I have asked for inquiries to be made into the history of the matter. It appears that the crucial wording on which the commissioner made his decision was incorporated into the 1989 legislation by way of an amendment. The amendment was not debated and the notes on clauses are silent, so precisely how that happened is unclear.

In addition, Mr. Mesher, the learned commissioner who took the decision, has written a valuable textbook on income-related benefits, but according to the 1995 edition he clearly had not contemplated in his role of author that the problem had always been in the legislation. So it was not merely the Government and their advisers who failed to spot that point. Indeed, that is to the credit of the Department, as it appears that one of the Department's officials—an independent adjudicating officer—spotted the point and argued it for the benefit of a claimant, and the commissioner agreed with him.

I am grateful for the informal notice from the hon. Member for Manchester, Withington (Mr. Bradley) that the Opposition agree that the Bill is a practical and sensible way to put matters right.

The Bill is extremely short. Clause 1 deals with Great Britain. It simply makes it clear that the decision to review and recover may be made at separate times by different people. Of course I should stress that both the decisions are appealable.

[Mr. Evans]

Clause 2 deals with Northern Ireland, where the legislation that creates the difficulty has the identical wording to that for Great Britain, so we need to make provision for Northern Ireland. Clause 3, with that style of parliamentary draftsmen, explains that clause 1 applies to Great Britain and clause 2 to Northern Ireland. I commend the Bill to the House.

6.6 pm

Mr. Keith Bradley (Manchester, Withington): I am grateful to the Minister for providing such a detailed explanation of a complicated judgment. I do not intend to delay the House by debating it at length or in detail. I also thank him for sending me a summary of leading counsel's opinion relating to the Mustard case, which helped us to decide how we should react to the Bill. As a result of both the Minister's explanation and leading counsel's opinion, we take the view that it would be difficult to appeal against a decision by the chief adjudication officer, and that the need for primary legislation is paramount to resolve the difficulty as quickly as possible.

We also support the need to introduce the primary legislation. We agree that, without it, there would be a shortfall in the ability of the Department of Social Security to recover overpayments. We also accept that the potential loss would be about £100 million over the period, or about £8 million a month. Clearly, it is not in anyone's interest to deny the Department's budget such a sum, which can be used for better purposes. On all those grounds, we are facilitating the swift passage of the primary legislation tonight.

We also understand that, as a result of the Mustard case, there would be immense difficulties in undertaking the administrative tasks associated with changing the benefit and calculating the overpayment simultaneously. We accept that further inquiries may be needed to ensure that all the evidence is available to the Department and to the overpayments section to ensure that the overpayment calculation is correct. It is in the interests of not only the Department but of claimants to ensure that all the evidence that they may want is available when the review takes place and the decision on the amount of overpayment is taken.

The Opposition also accept the argument that staff who deal with entitlement to benefit and calculation of benefit rates are not trained in the same way as those who are involved in overpayments. Although it could be argued that more comprehensive training of all staff is desirable, we recognise that such tasks are specialised. We accept that the two decisions should be separated and that the administrative arrangements currently in place to facilitate that should be continued.

We also accept that computer arrangements are not in place to enable both decisions to be taken simultaneously. That could crucially affect the accuracy of the changes to the benefit rate and overpayment, which also supports the argument for the Bill passing all its stages today.

I am not so persuaded by the argument that, if the Bill were not passed, the introduction of the jobseeker's allowance could be delayed, but I shall not pursue that point. I merely ask the Minister to update the House on the introduction of the JSA. Is it on course to be introduced in October, as the Government envisage?

I also welcome the Minister's assurance that, although the Bill will separate the two actions—the action to change the benefit rate and the subsequent action to assess the amount of overpayment—claimants will still be able to appeal against them. That is important in terms of equity for the Department and the claimant, and it ensures that there is no reduction in the rights of claimants to challenge decisions on benefit rates and the amount of overpayment.

I shall probe a little further in Committee on a number of points in relation to appeals and the way in which overpayments are recovered, but it is not the Labour party's intention to oppose the Bill's Second Reading.

6.12 pm

Ms Liz Lynne (Rochdale): I shall not detain the House for long. The Bill is minor and technical and extremely necessary to claw back the money that has been obtained through fraudulent claims or by people misrepresenting the facts.

Although I cannot criticise the Bill, we must find out what will happen when overpayments have resulted mainly from official error. I should like some clarification on that. I do not honestly believe that such money should be taken back because, obviously, if somebody gets a giro cheque through the door, they will spend it. Since they have not fraudulently claimed or misrepresented the facts in their opinion, they will obviously believe that they are entitled to that money. I should like the Minister to confirm that he does not expect that money to be clawed back from genuine claimants.

While we are talking about overpayments, I should also like the Minister to address the fact that the Department of Social Security has overpaid income support by £540 million in the past year alone, mainly because of official error. I should be grateful if, when he replies, he would say what action is being taken to ensure that overpayments do not continue.

The Benefits Agency report for 1994-95 about the accuracy of income support payments makes very depressing reading. I understand that accuracy is getting worse. In 1991-92, 95.7 per cent. of payments were accurate, but, in 1994-95, 86.6 per cent. were accurate. What action is the Minister taking to ensure that that does not continue? It is not surprising that the National Audit Office has highlighted the poor performance and the difference between different benefit offices across the country.

However, as I said, the Bill is necessary to correct something that was wrong in the first place.

6.14 pm

Mr. Roger Evans: By leave of the House, Madam Deputy Speaker. I should like to thank the hon. Members for Manchester, Withington (Mr. Bradley) and for Rochdale (Ms Lynne) for their welcome for the Bill. I shall deal quickly with the four points that have been put to me.

I confirm to the hon. Member for Withington that the jobseeker's allowance is on course to be delivered properly in October. I can also confirm that claimants can appeal against the decision to review and the later decision to recover overpayments.

I should explain to the hon. Member for Rochdale that overpayment because of official error is a topic distinct from the subject of the Bill. I shall explain why in a moment. The important thing is that section 71 of the Social Security Administration Act 1992 concerns overpayments that have been caused—this is crucial—by misrepresentation, a positive act that is fraudulent or a failure to disclose when there is a duty to disclose.

Under the section 71 mechanism, which we are putting right in the Bill, there must be some form of culpability on the part of the claimant—he must have misled us or failed to tell us something that he ought to have done. That is distinct from when, because of official error, more money is sometimes paid than ought to have been paid. There is a discretionary scheme to compensate in circumstances of official error, when it may be necessary to satisfy the Benefits Agency that an official error has been made and, as a consequence, loss has been suffered.

Ms Lynne: I understand that the Bill is very tightly drawn, but I was hoping that the Minister would state categorically that, if overpayment was due to official error, the money would not be clawed back.

Mr. Evans: As a general proposition, that is far too wide. I suppose that some culpability on the part of the claimant and an official error could occur at the same time. To operate the Bill's section 71 mechanism, overpayment must be caused by misrepresentation or the failure to disclose; so, we are talking about something very different. Of course, when official error occurs, it is obviously important that people could be misled by a mistake by the Benefits Agency. The scheme to compensate in such circumstances bears all circumstances in mind, including official error.

The other point that the hon. Member for Rochdale put to me concerned errors in income support. Although that is a much wider topic than the Bill, I should stress that the change programme that we are considering is designed to address such concerns, which we accept merit serious debate. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 61 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Dr. Liam Fox.]*

Question agreed to.

Bill immediately considered in Committee.

Clause 1

RECOVERY OF OVERPAYMENTS OF SOCIAL SECURITY BENEFIT: AMENDMENTS

6.17 pm

Mr. Bradley: I beg to move amendment No. 3, in page 1, line 7, at end insert—

'(1A) The following subsection shall be inserted after subsection (1)—

"(1A) A person shall only be taken to have failed to disclose a material fact within subsection (1) if

(a) he knew the fact in question; and

(b) it was reasonable in all the circumstances (including but not limited to his mental state) for disclosure of the fact to be expected of him

whether or not the failure also constitutes a misrepresentation of a material fact within subsection (1).".'.

The Second Deputy Chairman of Ways and Means (Dame Janet Fookes): With this, it will be convenient to discuss also amendment No. 4, in page 1, line 7, at end insert—

'(1A) At the end of subsection (1), there shall be inserted "; so however that, in a case where the misrepresentation or failure in question was not fraudulent, or negligent, the Secretary of State shall only be entitled to recover the amount which is referable to the 12 months immediately preceding the determination".'.

There is a slight printing error in amendment No. 4 to which I ought to draw the attention of the House. The words "or negligent" should have been deleted.

Mr. Bradley: Thank you, Dame Janet; I am grateful for your clarification of the fact that the words "or negligent" should have been removed from amendment No. 4.

The main purpose of amendment No. 3 is to reverse the effect of the Court of Appeal decision in the case of Jones *v.* Chief Adjudication Officer in 1993. The background to that decision is that there are two situations in which a claimant may have to repay an overpayment of benefit under section 71 of the Social Security Administration Act 1992.

The first arises when a claimant has misrepresented a material fact; the second when he has failed to disclose a material fact. Case law has held that the threshold for the Department is lower for the misrepresentation limb than for the failure to disclose limb. In essence, all that the Department has to prove is that there has been a misrepresentation, and that the claimant knew that the misrepresentation caused the overpayment in question. Whether the claimant knew the fact in question is immaterial, and so is the reasonableness of his behaviour. The test is one of strict, if not absolute, liability.

However, the failure to disclose limb provides some limited protection for claimants. The case law, which largely draws on insurance case law, has held both that the claimant must know the fact in question, and that disclosure of it must have been reasonably expected in the circumstances. In other words, a claimant cannot disclose a fact that he does not know, and should not be penalised for not having disclosed a fact that a reasonable person would not think had any impact on his benefit entitlement.

In the Jones case, the claimant had signed the standard form giro declaration to the effect that he had correctly reported all the facts that might affect his benefit entitlement. The Department of Social Security argued that the declaration constituted a representation, so that if the claimant had not reported or disclosed all material facts he was guilty of a misrepresentation.

Consequently, whether the claimant knew the fact, and whether disclosure was reasonably to be expected in the circumstances, was irrelevant. In other words, the declaration converted what would otherwise have been a failure to disclose into a misrepresentation too, so the protection associated with failure to disclose was thereby lost.

The majority in the case accepted that argument in part. It was agreed that there was a conversion, and it was said that although there was a reasonableness in the claimant's actions, that was irrelevant. However, the claimant did have to know the fact in question.

[Mr. Bradley]

In a later case, Franklin *v.* Chief Adjudication Officer, in 1995, the Department argued that knowledge in itself was also irrelevant in conversion cases. That argument was decisively and unanimously rejected by the Court of Appeal. There are suggestions both in the Franklin case and in the minority judgment in the Jones case that the giro declaration may be unlawful, given that it has the consequence found by the majority in the Jones case.

The reference to the claimant's mental state is designed to reverse the effect of a commissioner's decision, CA/303/92, that mental capacity is relevant to the question only when the claimant knew the fact in question, and not to the reasonableness or otherwise of disclosure. That inevitably brings about injustice for an especially vulnerable group.

Amendment No. 3 therefore seeks to do three things. First, it seeks to confirm that knowledge is an essential ingredient in all failure to disclose cases. Secondly, it is intended to restore the law on the reasonableness of the claimant's behaviour to the pre-Jones position, even in conversion cases. Thirdly, it would stipulate that, in the consideration of whether disclosure was reasonably to be expected, account should be taken of the claimant's mental state.

The amendments represent a modest proposal. With the possible exception of amendment No. 3, they would simply restore the law to what everyone thought it was until 1993, and reintroduce some fairness into an otherwise harsh overpayments regime.

Amendment No. 4, too, is intended to introduce some equity into the overpayments regime. Where a claimant has acted innocently, it seems unfair that he should have to repay benefit overpaid over what may have been a very long period. Inevitably that can cause hardship, especially if the claimant remains on benefit.

Benefits law is extremely complicated; I think that everyone in the House accepts that. So long as a claimant acts in good faith and does his best to give the Department the information that it needs, there should at least be a cap on his overpayment liability. When a claimant is wrongly denied benefit, he can usually be paid arrears dating back only 12 months. The amendment simply provides some balance between the claimant and the Department in terms of benefit decisions later found to be wrong.

In income tax law there is a limit on the period during which the Revenue can recover underpayments of tax in non-fraud cases. Broadly, that limit is six years. We are trying to probe the Government and suggest that some consideration be given to the issues surrounding the Jones and Franklin cases. They should consider equity in connection with overpayment, and impose some cap where it is absolutely clear that the claimant was not at fault in respect of the information that was given and that subsequently led to overpayment recovery by the Department.

I hope that the Minister will consider the amendments sympathetically and throw some light on the Government's thinking and attitude to the issues raised both by the Jones case and by amendment No. 4. I hope that we will be able to have a meeting of minds concerning the way in which overpayments should be considered in future.

Mr. Roger Evans: The hon. Member for Manchester, Withington (Mr. Bradley) has raised important points on amendment No. 3 in respect of the Jones case and the Franklin case, both of which he mentioned. This is not an easy area. It is important that the law must not be over-complex such that it cannot be administered or understood properly, but it must be fair. One of the judges was greatly concerned to prevent the sophistications of marine insurance law policies—in that area the details are spelt out at great length both in statute and in case law—from being imported into what should be a relatively simple, fair and straightforward social security regime.

I understand that there is a difficulty, but the fundamental distinction is between doing something positive—making a misrepresentation—and doing nothing, which is failure to disclose. The way in which the law has always worked is that, if someone does something positive, they are much more likely to be liable than if the law imposes a duty to do something yet they do nothing. In a sense, in omission cases, we are really talking about the extent of the duty at the same time as we discuss the failure to comply with it.

The position is indeed as the hon. Gentleman described it. In failure to disclose cases, no obligation can be imposed to disclose something that a person does not know. That does not make moral, legal or practical sense. There must also be some form of moral or legal obligation that says that people must explain or tell the fact that they are obliged to disclose. Otherwise, the whole thing would be nonsense.

As the hon. Gentleman explained, in cases of mental incapacity, illiteracy or educational or linguistic difficulties, case law is consistent on failure to disclose. In those circumstances—I suppose that this is really a doctrine of equity—there is no conscionable basis on which the duty can be imposed, and there can therefore be no breach of such a duty. That is fairly well-established law that applies not only to social security arrangements, but generally. There must be a moral or legal obligation for people to disclose before they can be blamed for not doing so, but it is traditionally different in a case where someone signs a piece of paper and states something positive.

Someone can tell a lie—that is what a misrepresentation must be—that is deliberate, and that is normally termed a fraudulent misrepresentation. Sometimes there is a halfway house where they ought to have taken care, which is described as a negligent misrepresentation. There can also be a reckless misrepresentation, which is normally regarded in the same way as an intentional misrepresentation. Furthermore, they can simply make a blunder, which is generally termed an innocent misrepresentation.

The traditional view is that, if someone does something positive, they must take the consequences upon themselves. If they are foolish enough to put their name to a piece of paper indicating something wrong, they must ordinarily be expected to take the consequences. That is the ordinary way in which contracts and other arrangements work.

The difference with social security arrangements was rightly pointed out by the hon. Member for Withington, and comes from the nature of the wording on the various forms, which he described as a form of conversion. I would not go along with that terminology, but I see what he is saying. The hon. Gentleman is, in effect, complaining that some of the statements on the forms amplify a failure to disclose into a positive statement and therefore that it is unfair to deal so

severely with the particular claimant. That is the rub of the complaint. I can see the force of that argument, and I undertake that we will have a look at the forms to see whether that aspect needs further thought and consideration.

I am not attracted to the proposition of reversing the case law, which the hon. Member suggested. Unless the case has arisen out of a particular complication in the forms, there is a well-established and clear-cut difference between doing something positive—a misrepresentation—and doing something negative, or failing to do something, where there are considerable protections.

I should stress that we should be careful in looking at section 71 and considering misrepresentations. These have to be proved, and the burden of proof is on the Department and on the adjudicating officer. There must be material fact, not just any fact. A mistake of law, for example, is not a misrepresentation for this purpose—the classic one being, "I am entitled to the above sum." That is not a statement of fact—it is a statement of opinion as to the law. If somebody signs up to that, the Department cannot recover.

6.30 pm

There must be a causal link between what has been said that is wrong and the payment of benefit, as it cannot just have happened that the Department has paid out in any event. There are considerable difficulties of proof in the Department's way—as there are normally in contractual cases of misrepresentation—and these can operate as safeguards.

I shall, perhaps, conclude my remarks, Dame Janet—

The Chairman of Ways and Means (Mr. Michael Morris): Order.

Mr. Evans: My apologies. I had not looked in the direction of the Chair.

The Chairman: Order. The hon. Gentleman may not have heard Madam Speaker earlier in the week ask all Ministers and hon. Members to address the Chair.

Mr. Evans: I apologise, Mr. Morris. I was addressing the Chair, but I had not, perchance, looked upon it for a moment in error. That is my fault, for which I apologise.

We will look at the forms again, but I am not attracted to altering what appears to be a well-established and clear-cut distinction that is probably well-founded in practice. It may have been confused by the so-called conversion. If so, I am happy to look at the matter again. I invite the hon. Gentleman not to press the amendment to a Division

Before I conclude, I should deal also with amendment No. 4. The hon. Gentleman is again trying to separate different kinds of class of misrepresentation. He is saying that there should be no limit if fraudulent behaviour is proved, but that the treatment should be different if the behaviour is less than fraudulent. The word "negligent" has been added to the amendment, and that is a difficulty for the hon. Gentleman.

There is an element of culpability when someone puts their name to a form and signs something that is wrong, and it is asking too much of the Department to examine minutely the conscience and mind of the person who has done it to discover whether the act is wholly innocent, in some intermediate category or culpable fraud. If someone puts their signature to something or says something, they ought to take the consequences—the consequences of such an act being that the taxpayer is paying benefit that should not be paid. I am not attracted to amendment No. 4.

Ms Lynne: The Minister has answered many of my queries, particularly those that related to amendment No. 3. I am grateful that he will look at the forms, because—as he no doubt realises—some of them are a minefield. A person should not be penalised for signing a form when he or she does not realise that the information asked for was relevant. In addition, I hope that the Minister will look again at someone who has signed a form with regard to his or her mental state.

Mr. Bradley: I am grateful to the Minister for his detailed response to amendment No. 3. These are complicated matters, and it is helpful when the Government put on record their interpretation of the judgments so that advocates can look carefully at the words and see how they are being followed in practice by the Department. I am also grateful that the Minister said that he was prepared to look again at the forms, as that is the point at which claimants provide the information. Enabling the forms to be as simple and as certain as possible is important, as is the way in which information is presented to the Department. That may overcome some of the problems that some claimants have experienced when they have found that the information has led subsequently to a request for overpayment.

On amendment No. 4, I accept the Minister's arguments about fraudulent behaviour on which, as he rightly said, I wanted to concentrate. However, the area of negligence needs further debate, but it was not my intention to have that debate tonight. Rather, I wanted to concentrate on the more simple arguments about fraud. While I understand the Government's argument on that, I was not clear on the Minister's response on the point of equity regarding recovery of overpayments within a limited period, as against the entitlement to benefit on arrears.

Mr. Evans: The difference with amendment No. 4 is that one can have—to use words rather loosely—a fraudulent non-disclosure of the most blatant variety, but the amendment bites only on fraud that is positive. One would have thought that, in moral terms, a deliberate concealment fraud ought to be treated in the same way. The difficulty for the Department is where it draws the line in these cases. Surely the money has been wrongly paid as a result of something that has been done or undone by the claimant, and the Department should have it back.

Mr. Bradley: I am grateful for the Minister's further comments. I do not want to labour the points about the moral entitlement to benefit against the moral requirement on the Department to recover overpayments. Clearly we support the recovery of overpayments, but we want to ensure that all claimants are treated fairly regarding their entitlement to benefit. I do not wish to labour the point further, and I am grateful for the concession that the Minister has give to look at the forms. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Bradley: I beg to move amendment No. 1, in page 1, line 22, leave out 'subsection' and insert 'subsections'.

The Chairman: With this, it will be convenient to discuss also amendment No. 2, in page 1, line 26, at end insert—

'(5B) For the avoidance of doubt, on a review of, or appeal against, a determination that an amount is recoverable made later than the appeal or review referred to in subsection (5A), an adjudication officer or, as the case may be, a social security appeal tribunal shall consider whether there existed grounds for the reversal or variation referred to in that subsection.'.

Mr. Bradley: This, too, is a short amendment and I shall not delay the House with too long an explanation. The purpose of the amendment is to meet the concerns expressed by Commissioner Mesher at the end of paragraph 10 of the Mustard case, where he said:

"Requiring the decision on recoverability to be made in the course of the review decision relating to the period of the alleged overpayment . . . means that an appeal against the recoverability decision encompasses an examination of the propriety of the review decision".

The amendment would ensure that the propriety of the review decision would fall for consideration on a challenge to a recoverability decision. I hope that that is clear. I also hope that the Minister's previous commitments on appeals against decisions are already encompassed in the Bill. Through this brief amendment, we seek further clarification and certainty on that matter.

Mr. Roger Evans: The argument has moved on since Commissioner Mesher's decision because of the terms in which the Bill is drafted. Commissioner Mesher was understandably worried—the force of the argument is clear—that, if everything is not done at the same time, one might be prejudiced by a later decision.

The way that it works is this: we have separated the two decisions and there is a right of appeal against each. If the half-truth comes out at the beginning of the process—if there is a review, but it is not accurate because for one reason or another either side does not know—the claimant has a right of appeal against the first decision. Let us suppose, however, that it is not right—perhaps there has been an argument, or facts have emerged during the following month or so. There will be a second review of the original review decision, and that also will be appealable.

In effect, if someone is shocked by a thumping great bill some months later, when the overpayment decision is made, there may well be grounds for review if there is a basis of fact that has developed or moved on, and there can, of course, be a further appeal on the second review.

The matter is dealt with in that fashion in the Bill, and I urge the hon. Gentleman not to press the amendment.

Mr. Bradley: I thank the Minister for that explanation. As he rightly says, the Bill has been framed to ensure that there can be appeals at each of the stages. The purpose of the amendment was to obtain the assurance from the Minister that that is the case, so that the claimant is protected at each stage if information can subsequently be produced to enable an appeal. With that further assurance from the Minister, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1 ordered to stand part of the Bill.

Clauses 2 and 3 ordered to stand part of the Bill.

Bill reported, without amendment.

Bill read the Third time, and passed.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Morris): With the leave of the House, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE (SCOTLAND)

That the Special Grant Report on Community Care Special Grant and Supplementary Mismatch Scheme Grant for 1996–97, which was laid before this House on 10th June, be approved.

LANDFILL TAX

That the Landfill Tax (Qualifying Material) Order 1996 (S.I., 1996, No. 1528), dated 12th June 1996, a copy of which was laid before this House on 12th June, be approved.

OVERSEAS DEVELOPMENT AND CO-OPERATION

That the draft European Bank for Reconstruction and Development (Further Payments to Capital Stock) Order 1996, which was laid before this House on 17th June, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

DEREGULATION

Mr. Deputy Speaker: With the leave of the House, I shall put together the motions relating to deregulation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14A(1)(a) (Consideration of draft deregulation orders),

That the draft Deregulation (Building) (Initial Notices and Final Certificates) Order 1996, which was laid before this House on 17th June, be approved.

That the draft Deregulation (Wireless Telegraphy) Order 1996, which was laid before this House on 4th June, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

PETITION

Dunblane Snowdrop Petition

6.44 pm

Mr. Martin O'Neill (Clackmannan): I am pleased to present what has become known as the snowdrop petition—they were the only flowers in bloom on 13 March when 16 children and their teacher were gunned down in central Scotland. The extent to which that tragedy has touched the heart of the nation and of our people can be measured by the fact that some 705,000 people had signed up to the petition by yesterday. It reads:

Wherefore your Petitioners pray that your honourable House introduce or amend the law relating to the ownership and usage of firearms such that:—

1. All firearms held for recreational purposes for use in authorised sporting clubs to be held securely at such clubs with firing mechanisms removed.

2. The private ownership of handguns be made illegal.

3. Certification of all firearms be subject to stricter control.

And your Petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Child Labour

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

6.45 pm

Mr. Jeremy Corbyn (Islington, North): The subject that I want to raise is child labour and the employment of children in the United Kingdom. I am sure that you will recognise, Mr. Deputy Speaker, that that is an extremely important and sensitive issue, and one that concerns large numbers of people, not just in this country but throughout the world. There is also concern about purchasing products produced by child labour in other countries.

First, I must put it on record that I am the chair of the British committee of the International Campaign Against Child Labour. It is a totally unremunerated position—indeed, it probably costs money, but that is not the point. I should also place on record the thanks of many people for the work done by Anti-Slavery International to expose the problems of child labour in many parts of the world, but also in Britain.

Most members of the public assume that child labour is a problem of the past. They think of children going up chimneys in Oliver Twist, or of Dickensian England. Possibly, they think of those tragic children in southern India, who are weaving carpets for 10 hours a day, or of the bonded labour in Pakistan and so many other places.

It is true that child labour was an enormous problem in Victorian Britain. Indeed, many of the great struggles to develop free state education were conducted in the teeth of opposition from farmers in many parts of the country, who wanted children to work on their farms because they were cheap or virtually free. One of the motivations behind the Burston school strike in Norfolk in the 1920s was that it was in opposition to farmers who wanted children to pick stones off fields rather than attend lessons.

While the problem has changed a great deal, it has not disappeared. There is a secret illegal work force in Britain that deserves to be highlighted. One does not have to go to the third world to find out what is happening. Here in London, children are working illegally. They are doing so obviously, by washing car windscreens and so forth at junctions, but they are also doing so illegally in clothing factories, bakeries and many other places, where they are dreadfully exploited and exposed to extremely dangerous conditions. They are also working as waiters and shop assistants and delivering milk, papers and the like. Those issues have to be brought to the attention of the House, and I will come to some of the things that the Government can and should do about the problem.

In a recent report, a group of psychologists at the university of Paisley, who have done much work on the subject, estimated that from 1.1 million to 1.7 million pupils in the 11 to 15-year-old age group are engaged in employment. That report demonstrates—it is the widest study undertaken to date—that that is not a minority experience for pre-16-year-olds. The group questioned 2,000 pupils in 22 schools in Scotland and the north of England, and found that between 35 and 50 per cent. of the pupils had jobs, and as many as 70 per cent. had had jobs at some time.

[Mr. Jeremy Corbyn]

Despite the fact that almost all jobs require a child to have a work permit issued by the local education authority, the Paisley study finds that nine out of 10 of the children are employed illegally, and that their average pay is £1.50 an hour. Some earn as little as 50p an hour.

In Britain, particularly in areas of high unemployment, we seem almost to be mirroring what is happening in the third world, where adults cannot gain employment but children can, because their wage rates are so low and they are easier to exploit as a result.

The Paisley study also found that some children started work at about 4 am and worked for several hours before going to school, even though it is illegal for children to work before 7 am. One third of the children interviewed in the Paisley study said that that had happened to them. A total of 20 per cent. of the pupils questioned in Strathclyde, Dumfries and Galloway worked more than 10 hours a week, although it is illegal for children to do that, starting at the times I have mentioned.

I want to put these problems before the House. The accident and health risks for children are serious, and there is a double bind in this. Not only are children seriously at risk when they are working early in the morning and late at night, but they are also working illegally. Therefore, the employer is unlikely to want to report any accident. They are not covered automatically by health and safety legislation, and are exposed to the most appalling dangers as a result.

A study by the Low Pay Unit found that one in three working children had been involved in accidents of that kind, and that 27 per cent. of children working in the service sector have reported being hurt at some time.

My hon. Friend the Member for Cynon Valley (Mrs. Clwyd) has produced a report on child labour. She cited cases of children aged between 12 and 15 who were killed or seriously injured at work. Where prosecutions followed, the fines were often low. Her report cites two cases in which boys of seven and eight were working on a building site, and another in which school-age children were working a fourteen-and-a-half-hour day sorting rags for £1 an hour.

One can see the advantage to the employer of employing children at £1 an hour when he would have to pay considerably more for adults. It underlines the case both for a national minimum wage in this country and for much greater labour regulation, not less. Sadly, in the case of those children, the Health and Safety Executive did not prosecute.

An even more shocking case is that of a Birmingham 15-year-old, Dean Allsop, who died because he wore no mask and was overcome by intoxicating fumes when he fell into a vat of water in a sheet metal finishing factory. Another case is that of the 14-year-old Watford boy who was killed when he fell under the wheels of an oncoming car just yards from the flower stall that he was running. These issues are present in factories, and on building sites, farms and other places around this country.

When one mentions child labour, people usually say that it is all about trying to stop children doing paper rounds, and that such paper rounds do not do them any harm. I did a paper round on a Sunday as an older child. Most children are glad of the money, but when one looks back, one sees that there are serious questions about the safety and exploitation of young children.

The physical damage that can be inflicted is quite serious. In 1988, the Chartered Society of Physiotherapy, which is affiliated to the Trades Union Congress, exposed the risk of spinal deformity that can be caused to paper boys and girls as a result of carrying heavy loads in poorly designed bags, which push their spines out of alignment. Children's loads are not set by law in the way they are for adult workers.

For example, a 17-year-old postal worker should not be carrying more than 40 lb of mail. Some children delivering papers, particularly Sunday papers which tend to be bulkier than daily papers, are sometimes carrying as much as 70 lb at the start of the paper round. I would consider that heavy for many adults. It would probably be beyond the capability of many hon. Members to carry that weight, yet children are doing that, and the damage caused in the early part of their round is considerable.

Tragically, safety in our society has diminished a great deal over the years. One must have serious regard for the safety of children, particularly in London and the big cities. As somebody who grew up in the country, I find it shocking that one can barely let one's children go out of the front door to go a hundre yards down the road to a shop without being concerned for their safety. Children undertaking paper rounds have been subjected to assault, sexual attack and violence, as well as facing the problems of traffic accidents and general safety.

Earlier this year, a tribunal on the world problem of child labour was held in Mexico. Mike Calvert, who was representing the British committee, presented evidence in which he said:

"It is estimated that in Britain 2 million children under school leaving age work for wages of around $1 or $1.30 an hour."

He translated the figure for the tribunal. He went on:

"The general demand of British workers is for £4.15 per hour. One then clearly understands that child labour stands as one of the main means to deregulate the labour market and reduce the cost".

We should also remember that, in 1899, the founding conference of the TUC said:

"The time has come for the British Empire to stop building itself on children's hearts".

The hearts of children now are those to whom I have referred, who have suffered accident and injury because of excessive work early in the morning and late in the evening.

The TUC has done a great deal of work on this. It is concerned not just for the safety of children, but for the way in which children provide employers with cheap and flexible workers. The TUC document said:

"Children provide employers with cheap and flexible workers who often don't know their rights. Children have always worked and there are a huge variety of reasons why. In poorer families the child's wages may be very important to family income—and growing poverty in Britain makes that more likely."

The TUC document goes on to say:

"According to the Low Pay Unit, one in three working children have been involved in accidents."

The document also mentions the report produced by my hon. Friend the Member for Cynon Valley, and explains the dangers of the weight being carried by children. It goes on to call for legislation and ratification of International Labour Organisation convention 138, which is at the heart of the debate and my arguments.

Convention 138 clearly states that the minimum age for entry into employment should be the age of completion for compulsory education. Exceptionally, a country with insufficient economic and educational development may initially specify 14 years. That could not be said to apply to the United Kingdom. The Government purport to support the work of the ILO on child labour in developing countries, but they reject criticism of their record.

They are firmly opposed to a human rights clause in international trade agreements, which would link access to the global market to effective measures to eliminate bonded child labour. The most serious abuses of working children are generally dealt with under ILO convention 29. The TUC document states the nub of many of the problems.

Although this is a debate about child labour in the United Kingdom, it is difficult to limit it to the United Kingdom, for a number of reasons. As I have mentioned, working children provide a cheap and relatively docile source of labour. It is an advantage to an employer in Britain to be able to employ children, and it is an even bigger advantage in many third-world countries.

In some African countries, over 50 per cent. of children are working. In South America, 5 million children are working, and in Asia an estimated 44 million children are working. The worst offenders are Mali, Burkina Faso, Burundi, East Timor, Uganda, Ethiopia, Senegal, Bangladesh and Nigeria—many of the world's poorest nations.

When workers in Britain legitimately complain about job losses and manufacturers moving overseas, they complain about imported goods being produced by child labour. Those companies alleged to be producing goods by child labour usually say that no children work in their factories. That may well be true of their own factories. The sports shoe manufacturing industry is keen to point out that no children work in its factories. The problem is that it sub-contracts work to outstations which do employ children.

If we are to deal with the problem of child labour, it is not a matter of punishing the children for undertaking the work, or even, in some cases, of punishing the parents, who may be driven by terrible poverty; rather, it is a matter for international regulation and the implementation of the ILO convention.

Last year's Trades Union Congress passed a resolution in support of the ILO convention, and asked Governments to translate into practical actions their commitment to ratify ILO convention 138, which I strongly support. I hope that the British Government are prepared to declare their support for that, and to look more seriously at the regulation of the labour market in order to control the safety of children.

British legislation also creates some problems. When I started researching the issue, I discovered that the Employment of Children Act, a private Member's Bill, was passed by the House in 1973 during the Government of the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). That Act has never been put into operation. It sought to regulate child labour, prevent young children from working, and establish various other conditions concerning rest, maximum hours, and so on. It is shocking that such legislation could be passed more than 20 years ago, yet never be put into operation. I hope that the Minister will explain why that has been the case.

The Department of Health issued a consultation document, which I understand attracted a number of responses, although I have no idea exactly how many, which was based on the new EC directive on child labour. Some of those who read that document found it rather disturbing. When I asked a parliamentary question on the subject, I was told that there were no plans to publish the responses to that document. I hope that the Minister will change his mind tonight, and tell us that all the responses will be published. If he does, that will be fine; if not, the only conclusion that can be drawn is that the replies were unsympathetic and hostile to the EC directive and the Government's position.

The Guardian, in an article on 22 May this year, said:

"Britain has opted out of key provisions of the EU directive, rejecting a 12-hour weekly limit on children's term-time working in favour of a limit of 17 hours for 13 and 14-year-olds and 20 hours for 15-year-olds. Uniquely in Europe, Britain will also exclude 16 and 17-year-olds from any restrictions on the hours they can work."

Many families in my constituency are extremely hard up. They are keen for their children to stay on at school past the age of 16 in order to obtain A-levels, go on to college and so on, but they simply cannot make ends meet. Insufficient money is available through the social security system, and in many cases children work such excessive hours that their studies are damaged. Children under the age of 16 also work more than they should because their parents cannot get work, so they too are part of the problem.

The Government are seeking an opt-out from parts of the EC directive, but even that is limited, because it does not outlaw the employment of children in the way that the ILO convention suggests. As a result, the British position is even worse, because Britain believes that children should be working even longer hours than the EC directive states.

Britain has the beginnings of a serious problem. Child labour is disgraceful. Children should be able to grow up in a happy atmosphere, in which they can learn without the stress of knowing that, after school or early in the morning, they have a job to go to because of their family's poverty. Those things were wrong in the 19th century, as many hon. Members would have said in this Chamber 100 years ago, and they are doubly wrong today, when we have the resources to eliminate child labour altogether.

I conclude by quoting from the Anti-Slavery International appeal for action on child employment in the United Kingdom. It is headed:

"The British Government is planning changes to the law affecting the employment of school-age children, which will worsen their school performance and provide cheap labour to businesses trading on a Sunday."

It says:

"ASI is concerned that school-age children in the UK are still not adequately protected from exploitation under UK law, and that the Government has not given serious consideration to the impact on children of working long hours while still at school. UK laws on child labour need revision, need to be applied and need to conform with the UK's international commitments. If the current proposals become law many more school-age children in Britain will be working even longer hours during term-time at the expense of their education and childhood."

We have the power to do something about child labour. Legislation exists. We have the ILO convention 138, ratification of which in its entirety would help to eliminate child labour.

[Mr. Jeremy Corbyn]

When I recently asked the Secretary of State

"what actions are being taken by his Department to ensure that children are not working in breach of the current employment law"—

that was a question to the British Government, who are responsible for the enactment of legislation and the protection of British people—the answer took less than one line. It said:

"Enforcement of the law in this area is a matter for local authorities."—[*Official Report*, 26 June 1996; Vol. 280, c. *146*.]

Local authorities often lack the resources and expertise to deal with the matter. In some cases, they may lack the will to deal with it. All the battles to develop free education in Britain 100 years ago in the teeth of opposition from employers who were busy exploiting children at the time might be rerun today because some local authorities might not be too keen on investigating clothing companies, newspaper deliveries and other employments in which children are working excessively and in great danger.

Even more shocking is the fact that there is apparently no central collection of statistics showing how many children have suffered from accidents, or of the work done, or not done, by local authorities. The Government have all the appearance of wanting to have nothing to do with the problem. They hope that it will go away, and that someone else will deal with it.

Many people feel angry about the moral situation of children around the world. They refuse to buy goods produced by child labour—not because they want to harm the children or their families, but because they want to make their own statement about the employment of children and the way in which their education suffers.

I am concerned that the education of many children in Britain is being seriously harmed and that many are suffering physically, mentally and educationally as a result of the way in which they are forced to undertake jobs that they should not be doing. It is time that the 1973 legislation was put into operation in its entirety, and that the Government gave legislative approval to the ILO convention to protect children.

7.7 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I thank the hon. Member for Islington, North (Mr. Corbyn) for introducing the subject of child labour. He may not be wholly surprised to find that I do not agree with everything that he has said, but he raised some important and legitimate concerns for the welfare of children in Britain and abroad. I am not here to answer today for children abroad. I merely say that, if some of the countries to which he referred adopted some of Britain's protective legislation, some of the abuses about which he and I share concern might be prevented.

The hon. Gentleman speaks from a purist and honest point of view, which is that no child should be employed. That is a perfectly fair position to take, but it is not the one that most people in Britain would adopt. He would rule out even the paper round. Children often wish to work, and society in general sees work by children as a normal part of a child's life.

Suitable work undertaken by children in controlled circumstances can be beneficial, for instance by developing in them a sense of their own worth, by developing the discipline of regular attendance, and through the experience of handling money and forging working relationships, not least with people older than themselves. All that can be beneficial to general development, to the rounding of a child as an individual.

We must be careful not to confuse the common experience of children who work, for example, delivering daily newspapers, with the occasional horror stories that we hear of children being exploited, perhaps in dangerous circumstances, by unscrupulous employers. If that occurred, the hon. Gentleman and I would stand shoulder to shoulder to find ways to prevent it and to bring to justice anyone who had perpetrated it.

Let me make the legal position quite clear. Children are prohibited by statute from working except in strictly controlled circumstances. Apart from the general prohibition on children working in any industrial undertaking, contained in the Employment of Women, Young Persons and Children Act 1920, the basic rules are contained in the Children and Young Persons Act 1933, which stipulates that no child may work below the age of 13 years before 7 am, during school hours or after 7 pm for more than two hours on any school day or Sunday.

The hon. Gentleman referred to the 1973 private Member's Bill, which, as he rightly said, was passed during a Conservative Government. It was considered by the Labour Government of 1976, but they decided not to implement it in that form and instead decided to go for local government byelaws. Subsequent Governments have followed that route, although we are now looking to see whether they need strengthening as a result of the EU directive.

Most important—this is the crux of the control of children's employment—any employer who wishes to employ a child must register the child with the local education authority and obtain an employment card, which will be issued only when the LEA is satisfied that the job involved is legal in terms of the nature of the task to be performed, the hours of work involved and the times when the task is to be performed. The LEA must also be satisfied that the child is fit to do the work and that his or her education and general well-being will not be put at risk.

The measures that I have described provide a sound legal basis for allowing our children, from a suitable age, to gain valuable experience of work while at the same time protecting their well-being.

Mr. Corbyn: Roughly how many children are registered with local education authorities? What does the Minister's Department think is the rate of non-compliance in that area?

Mr. Bowis: I shall come to that point in a moment. We do not know the number of children who are registered with employment cards, but there is perfectly clear evidence that a large number of children do not use the cards. That is something that local authorities must look at.

There is, however, much good practice. I have seen booklets produced by local authorities of all political persuasions, in all parts of the country—rural and urban—which set out to ensure that local employers are aware of their duties in that regard. I have seen documents produced by those in the newspaper industry to try to ensure that their people are complying. I have no doubt

that debates such as this will also highlight the need to comply. It is not a case of people being exploited or badly treated; it is a case of children who are not being properly employed within the law. That is not acceptable. There is a £1,000 fine for non-compliance, and we must get that across. As we move towards the implementation of the EU directive, we shall have further opportunities to highlight that.

If we hear of instances—sometimes tragic instances, which are rare—where the system has failed, we do not find that a child has come to harm as a result of a deficiency in the current law. I have heard of calls for central Government to do something about the illegal employment of children, usually from people who are a little short on what to do. As I have described, local authorities have considerable powers to control children's employment sensibly. I stress again that they have had such powers since 1933. There is nothing new in the idea of children working or of protecting them while they do so.

We sometimes hear alarmist figures that up to 1.5 million children work illegally—alarmist because the estimate is due not to any widespread exploitation but rather to the fact that relatively few children, as the hon. Gentleman pointed out, possess an employment card. Many authorities are taking positive action to tackle that by visiting schools and so on, and I hope that that will continue.

Suggestions have been made—the hon. Gentleman referred to this—that local authorities have not felt able to allocate the necessary resources to control children's employment effectively, and in particular to enforce the employment card system. It is, as the hon. Gentleman will know, for each local authority to decide on its spending priorities and to devote resources as it sees fit to any sector of its responsibilities. It is not a new responsibility; it goes back more than 60 years, and I should have thought that any authority that thought that children were at risk would ensure that such resources as were necessary were allocated to that area.

Some people may think that the current law is out of date. I do not accept that. Detailed controls are contained in local authority byelaws, which local authorities are responsible for keeping up to date. We propose changes, to which the hon. Gentleman referred. The directive on the protection of young people at work, which was produced by the EU in June 1994, calls on member states to bring their domestic legislation into line with the terms of the directive, and we are working towards that. We believe, however, that our current system already provides suitable protection. That does not, of course, mean that we shall not comply with the terms of the directive. Of course we shall. I am concerned that, while we make the few changes to the current rules that are required by the directive, we ensure that we are fully up to date, which we need to be to protect our children.

With regard to children under the minimum school leaving age—the cut-off point where the legislation applies—we have the option, and we shall take it, under the directive of not applying the limit of 12 hours a week during term time. We shall retain our current limits of up to a maximum of 17 hours a week for children up to the age of 15, and 20 hours a week for children of 15 or over. There is no objective evidence to support a lower limit. The current limits have been in place for many years, and I am aware of no evidence that they are in any way inappropriate. I am, of course, aware of the research, notably from the university of Paisley, which suggests that children working more than 10 or perhaps 12 hours a week perform less well academically, but, as the authors of that research are honest enough to acknowledge, no direct causal link has been established.

I should point out that the directive permits children aged 13 and 14 to work up to seven hours a day and 35 hours a week in their school holidays, and children aged 15 or over to work eight hours a day and 40 hours a week. That is far in excess of our current limit of five hours a day and 25 hours a week for 13 and 14-year-olds, and eight hours a day and 35 hours a week for children over 15. I can tell the hon. Gentleman that we are not moving towards the directive on that. We are retaining our lower limits, which I hope will please him at least. Another important way in which we are already more protective than the directive requires is on the start and finish times. The directive prohibits children from working between 8 pm and 6 am. Current United Kingdom law prohibits work between 7 pm and 7 am. We shall retain our more protective approach.

Mr. Corbyn: If, as the Minister says, the EU directive is rather worse than the British Government's position—I take his point about start and finish times—why on earth did the British Government not veto it when they had the opportunity to do so? They veto lots of other things—why not that?

Mr. Bowis: The veto was not appropriate in that context.

Mr. Bowen Wells (Lord Commissioner to the Treasury): There is qualified majority voting.

Mr. Bowis: Indeed. But, in any event, options in the directive gave us the necessary flexibility to continue our current best practice—and I think that we do have best practice, which has been seen to work.

It has been suggested that we are proposing to increase the number of hours for which children may work. That is not so. What we propose is to bring up to date the law governing children's working hours on Sundays. The current two-hour limit is not reasonable in the 1990s: many shops now open on Sundays, and I believe that children should be able to work in those shops if they wish to.

I am conscious, however, that merely increasing the number of hours for which children may work on Sundays could erode their leisure time with their families, or the time in which they must do their homework. That is why our proposals are carefully framed to maintain the current limit on the number of hours that may be worked over the weekend, while providing a choice of when those hours may be worked. I consider that increased flexibility a positive step, and expect it to be particularly welcomed by the various ethnic and religious groups for which Sunday is not a special day.

I believe that experience of suitable work at a suitable age, in strictly controlled circumstances, can be positively beneficial to children.

Mr. Corbyn *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. Is the Minister giving way?

Mr. Corbyn: I thought that the Minister was about to sit down.

[Mr. Corbyn]

I referred to the consultation document sent out by the Department, and the lack of published responses. Are the responses to be published? If so, when?

Mr. Bowis: We shall certainly present our conclusions on the consultation in due course, but we do not propose to publish the details of the letters that we have received. As on other occasions, it was not made clear to those who wrote to us that that might happen, and it is not normal practice, but we shall certainly take into account the views that have been expressed on both sides of the argument.

Local authorities are responsible for ensuring that the law is adhered to. We are working on some minor changes to the current law, both to ensure that it is fully up to date and to comply with the terms of the directive. I believe that, when local authorities update their byelaws as part of the process, the publicity that that will engender will lead to a greater knowledge of the law, and therefore greater compliance with it.

I hope that the hon. Gentleman will feel that we have good law in this country. That law needs to be complied with, and it needs to be publicised on occasion, but sensible working practices for children can be helpful to those children as they develop and grow. It is not a question of supporting families' incomes; it is a question of helping children to grow into responsible citizens. In that spirit, I believe that the steps that we are taking will be helpful.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Seven o'clock.

House of Commons

Thursday 4 July 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF WESTMINSTER BILL *[Lords]*

Order for consideration read.

Amendments agreed to.

To be read the Third time.

Oral Answers to Questions

HOME DEPARTMENT

Private Finance Initiative

1. **Mr. Clapham:** To ask the Secretary of State for the Home Department what assessment he has made as to the extent to which money from the private finance initiative will compensate for the reduction in capital finance originally undertaken for 1996–97. [34517]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): Private finance initiative replaces public capital where it offers better value and is a useful addition to any public capital provision.

Mr. Clapham: I am surprised by the Minister's answer because he did not refer to any figures. He must be well aware that the Home Secretary announced with a great fanfare that an extra £20 million would be available in revenue for extra police. By a sleight of hand, there was a £23 million cut in capital provision, compared with the total in the annual report. Can the Minister assure the House that private finance will make up for the £23 million cut in capital provision this year?

Mr. Sackville: We expect £151 million to be spent on capital contracts, most of them already agreed, in the current year. I can reassure the hon. Gentleman that all Home Office funding for specific police building projects is being maintained this year. There have been no enforced cuts in major building programmes, but it is open to police authorities to enter into PFI contracts. I recently visited a police force that is making considerable progress down that road. There is no reason for police building in future not to take advantage of private finance.

Mr. John Marshall: Has my hon. Friend noticed the vendetta against the private finance initiative launched by Opposition Back Benchers? Is he aware that the right hon. Member for Kingston upon Hull, East (Mr. Prescott) claims to have invented the PFI and that the Leader of the Opposition claims to support it? Is not that another example of new Labour being out of touch with 80 per cent. of its Back Benchers?

Mr. Sackville: It is significant that we have received no complaints about the PFI from Labour Front Benchers recently. Opposition Members who have cast aspersions on the initiative, locally or otherwise, are totally out of touch with their own party.

Juvenile Crime

2. **Mr. Harry Greenway:** To ask the Secretary of State for the Home Department what new measures he is planning to tackle juvenile crime; and if he will make a statement. [34518]

The Secretary of State for the Home Department (Mr. Michael Howard): The Government continue to take firm action to tackle juvenile crime and its causes. In particular, we have strengthened the courts' powers to give young offenders custodial sentences where they commit serious crimes or offend persistently; we have given the police the power to attach stricter conditions to bail; we are proposing to give the police new powers to seize alcohol from young people drinking in public and to destroy it; and we have set up a ministerial group on juveniles, which is working to ensure that all relevant Departments and Government agencies, together with local government and voluntary agencies, co-ordinate their efforts—so as to target children who are at greatest risk of offending and to maximise the efforts made to steer them away from a life of crime.

Mr. Greenway: I welcome my right hon. and learned Friend's reply and all the measures that he is taking. Does he agree that if juveniles are set on a life of crime, that will prove disastrous for the rest of their lives and for their families? Does my right hon. and learned Friend further agree that if juveniles receive moral and spiritual teaching, that will assist them to move away from crime? Will my right hon. and learned Friend do all that he can to provide such education, as well as preventing juveniles from reoffending if they commit a crime for any reason?

Mr. Howard: I agree with my hon. Friend, whose points go far beyond the criminal justice system. Greater emphasis must be placed on the part that teachers and parents can play in educating children in the difference between right and wrong. The greater the emphasis placed on that matter in children's formative years, the less prospect there will be of them becoming career criminals later in life.

Mr. Straw: I entirely endorse what the hon. Member for Ealing, North (Mr. Greenway) said. But is the Secretary of State aware that, so great has been the Government's failure over 17 years to tackle juvenile crime, there are countless examples across the country of persistent young offenders who wait for months—in some cases for more than a year—before being punished? Meanwhile, they offend again and again before their cases get to court. Why are these delays continually becoming worse? Does not the Government's inability to tackle youth crime contrast starkly with Labour's proposals to

reform the youth justice system, and particularly with our pledge to halve the time that it takes to bring serious young criminals to justice?

Mr. Howard: The pledge might be just a trifle more impressive if the document to which the hon. Gentleman refers gave the slightest indication of how the pledge is to be maintained—but it does not deal with that at all. What we have seen from the Labour party is a series of attempts to undermine all the measures that we have taken. It has attempted to wreck the steps that we have taken to give police the power to attach conditions to bail, and it has sought to make it impossible for secure accommodation to be made available for young offenders, with Labour-controlled local authorities consistently refusing to provide such accommodation. What we get from the hon. Gentleman is a conspicuous example of the new dangers that new Labour brings.

Drugs (Prisons)

3. **Mr. Ian Bruce:** To ask the Secretary of State for the Home Department what steps have been taken to combat the use of drugs in prisons. [34519]

Mr. Howard: Since last April we have introduced mandatory drug testing in all prison establishments. All establishments have also produced local strategies for reducing the supply of and the demand for drugs.

Mr. Bruce: I thank my right hon. and learned Friend for that answer. How successful has that policy been? Does he recall that he received no support in voting for those measures from the Labour party or from the Liberal party? They tried to say one thing in the media but failed to support the policies in the House. Will he confirm that it is absolutely essential that we clean out drugs from our prisons, because a prisoner coming out who is dependent on drugs almost certainly will go back to a life of crime?

Mr. Howard: I agree with my hon. Friend. I think that it is too early in the mandatory drug testing programme to be definitive about its success, although the latest figures for those testing positive—at 27.6 per cent., which, of course, is still far too high—show a welcome reduction on the 37 per cent. who tested positive in the first month of the introduction of the programme in February last year. Although there is more to be done, the signs are encouraging.

Mr. Bermingham: Can the Home Secretary please tell me how he can reconcile, first, an expected expansion of 7,000 in the total prison population by April next year; secondly, an expected 1,200 reduction in the number of prison officers because of the 5 per cent. to 13 per cent. cuts; and, thirdly, a total freeze on recruitment in the Prison Service? When he is reducing the numbers of officers and increasing the numbers of prisoners, how can he ever have an effective drug policy—unless he introduces drug-free wings in prisons, and perhaps uses specialists who can begin to educated prisoners away from the drug habit?

Mr. Howard: We are doing both of the things that the hon. Gentleman suggests. In particular, a significant increase is under way in the number of prisons in which drug treatment programmes are available. The hon. Gentleman is quite right and I entirely accept that, in addition to mandatory drug testing, we need more treatment available in our prisons. That is exactly what we are providing.

Dame Jill Knight: Does not my right hon. and learned Friend recognise that the largest proportion of drugs going into prisons come from visitors visiting inmates? Does he accept that there is a very real need to stop that, particularly by stopping visitors and inmates touching, which is so often how drugs are passed?

Mr. Howard: I agree with a good deal of what my hon. Friend says. In particular, we are introducing on a pilot basis closed visits for those who have been found to be in possession of drugs who are suspected of having had those drugs passed to them through visiting, in precisely the way that my hon. Friend has suggests. We are determined to do all that we can to root out the disgraceful state of affairs in which drugs are taken in our prisons, and closed visits may have an important part to play in achieving that objective.

Drug Trafficking

4. **Mr. William O'Brien:** To ask the Secretary of State for the Home Department what additional resources he will provide to combat drug trafficking in city and urban areas; and if he will make a statement. [34520]

Mr. Sackville: The Government are currently spending more than half a billion pounds a year directly on the fight against drugs.

Mr. O'Brien: Is the Minister aware of the launch of the West Yorkshire police community forum, in which a number of very busy people in West Yorkshire are coming together to try to combat crime, drug and alcohol abuse and the causes of crime? The survey of the regions carried out by the Government revealed that West Yorkshire has real social problems. The launch of the police community trust has been spearheaded by the chief constable of West Yorkshire, Keith Hellawell, who is calling for local business people to provide £1 million to help to resource the forum. Will the Minister press the Home Secretary to make a contribution to that £1 million, or even to fund pound for pound the sum that is being subscribed by local people? We need help with the forum.

Mr. Sackville: Drugs are a huge and dire problem everywhere in this country, but in West Yorkshire people have the advantage that the head of the Association of Chief Police Officers drug committee, Chief Constable Keith Hellawell, is providing a model for what should happen elsewhere. As for funding, I remind the hon. Gentleman that West Yorkshire police will receive an extra £11 million in available spending this year. How that money is deployed must remain a decision principally for the chief constable and the authority. None the less, I commend the drug forum and Chief Constable Hellawell for what they are doing. It is exactly what is required to back up enforcement with proper drug prevention. In the end, that is the only way in which we shall beat drugs.

Mr. Elletson: Is my hon. Friend aware of the significant reductions in drug trafficking in the urban council housing estates that are run by the tenants under the Government's right-to-manage scheme? Will he take the opportunity to condemn Labour-controlled local authorities such as Blackpool borough council whichcontinue, by the most underhand means, to deny their tenants the right to manage?

Mr. Sackville: I accept what my hon. Friend says, because I am very aware that the best way to ruin a council estate, or any other estate, is to allow drug dealers to operate within it. Tenants can take decisions; they know who the drug dealers are and they can bring pressure to bear. That is the best way to protect children on those estates.

Mr. Flynn: The Home Secretary has just described the situation in our gaols, after 17 years of Conservative Government, as "disgraceful". In the two gaols that serve my area, Cardiff and Swansea, it has been discovered that 50 per cent.—that is, half the prisoners—are on drugs. Drug use is endemic in every prison in Britain, and if we cannot keep drugs out of our prisons, how on earth do we expect to keep them out of schools, clubs, pubs and raves?

Mr. Sackville: It is a matter of great distress to everyone connected with prisons that many people take up drugs as a result of being in prison. I agree that that is entirely unacceptable. But thanks to my hon. Friend the Minister of State who is responsible for prisons, considerable progress has been made in the past two years. If the hon. Gentleman goes to see some of the prisons with drug-free wings and drug programmes, he will find people who are coming off drugs in prison who would not have had the chance to do that outside. That should be applauded, and the more encouragement that can be given to the Prison Service to allocate resources for more drug-free wings, the better.

Prisoner Escapes

5. **Mr. Nicholas Baker:** To ask the Secretary of State for the Home Department if he will make a statement about the incidence of escapes from Her Majesty's prisons and from prison escorts since April 1993. [34521]

The Minister of State, Home Office (Miss Ann Widdecombe): The percentage reduction from the financial year 1992-93 until the financial year 1995-96 is 79 per cent.

The number of escapes from establishments has fallen from 232 to 52, and the number of escapes from escort has fallen from 115 to 36 over the same period.

I congratulate the Prison Service on this considerable achievement.

Mr. Baker: Will my hon. Friend accept the congratulations of the House for the entire Prison Service? Is it not justification for the policy of contracting out services therein; and is that not yet another way in which prison works, because according to a secret document that has come into my hands, a copy of which should be placed in the Library, new Labour believes that the Tory policy of prison works is an absurdity?

Miss Widdecombe: My hon. Friend is absolutely right. He is also right to draw attention to the operation of private escorts. It is a fact that much of the reduction in the rate of escapes from escort is due to the privatisation of escort services. In the first year of operation, in the initial area contracted-out, there was a reduction of 45 per cent.; in the second year, 71 per cent.; and in the third year a further improvement resulted in a final reduction of 82 per cent. My hon. Friend is also quite right to point to the absurdity of the Labour party's position: that prison does not work. If it does not work, at the same time as we have a rise in the prison population, why do we have a fall in the rate of crime? Why is the rate of reconviction better for prisons than it is for community services? Is not it a fact that every single time we have become tough on law and order, that has been opposed by the Labour party? Will it now admit at last that it was wrong?

Mr. Alex Carlile: Will the Minister tell the House why the Government have been so lacking in openness about the cost and feasibility of implementing the Learmont proposals on prison security? Will she also tell the House how, if the Government are not prepared for that implementation, we can believe anything that they say about paying the price of building new prisons for their sentencing proposals?

Miss Widdecombe: I made it extremely clear to the hon. and learned Gentleman when he asked me about our response to the Learmont report, in a written answer, which he has now had plenty of time to read and study, that we will, in due course, produce our response to the Learmont report. At such time as we produce that response, I am sure that the hon. and learned Gentleman will have no reason to complain of any lack of openness. All there is at the moment is a lack of patience. I suggest that he learns a bit more patience.

Mr. John Greenway: Further to the point made by my hon. Friend the Member for North Dorset (Mr. Baker) about the lack of prison places, would it not be sensible to rethink the £2 billion price tag to implement Learmont—if that is the figure, as has been trailed today—and look at spending capital resources on creating more prison places, and in the process of doing so ensure that we build into those prisons at the design stage all the features that will prevent escapes? As my hon. Friend rightly said, the crisis is likely to be prison places, not escapes, because the Prison Service has, as she has said, reduced the number of escapes from prisons by a very substantial amount.

Miss Widdecombe: Not only have we reduced the number of escapes, but precisely because we have concentrated on supplying prison places we have rectified much of the abysmal situation that we inherited from the Labour party. The Labour party saw a rise in the prison population of 15 per cent., to which its response was to cut its capital programme by 20 per cent. By contrast, we have built 22 new prisons. We have eliminated the practice of trebling. We have eliminated the use of police cells. We have reduced the percentage of prisoners sharing two to a cell designed for one. We have done all that because of our determination to get the number of prison places right. The Opposition should admire us and congratulate us, but I have a feeling that they will not.

Mr. Straw: I congratulate the Minister on her preparations for Opposition, but she will have to do rather better than she has in this Question Time.

On the crisis in the Prison Service, to which the hon. Member for Ryedale (Mr. Greenway) referred, can the Minister confirm that, while prison numbers are rising by more than 300 a month, the Secretary of State is cutting the Prison Service budget by more than £6 million a month, every month, for the next three years? Instead of wriggling and prevaricating, will she admit that, in the Home Office annual report, the Secretary of State promised that a report on Learmont's cost implications would be tabled in spring this year? Where is that report? How much will the Learmont recommendations—that will cost new money—come to in total? How many of them will the Secretary of State accept?

Miss Widdecombe: I can only conclude that the hon. Gentleman was not listening to my previous response to the hon. and learned Member for Montgomery (Mr. Carlile). [HON. MEMBERS: "Answer."] Since the Opposition are calling for the answer, they shall have it again. We shall produce our response to the Learmont report in due course. When we produce that response, we shall give no grounds for any complaints about openness. That is what I said and I am sorry that the Opposition could not understand it the first time. Now that I have painstakingly repeated it, I presume that they can understand it the second time.

There is a very simple answer to hon. Gentleman's question about the rise in the prison population: the reductions are in budget restraints. If he conducts a study, he will find that the prison population has been rising constantly since 1993. He will also find that, during that period, we have reduced the cost per prisoner place and have managed to combine that rise and that reduction with more purposeful activity, more refurbishment, more high secure places, and all the things that the Opposition do not want to hear. We have managed to do that through efficiency savings, and that is what we shall continue to do—

Madam Speaker: Order. We must move on.

Life Sentences

7. **Mr. Llwyd:** To ask the Secretary of State for the Home Department what response he has made to the opinion of Lord Chief Justice Taylor on the imposition of mandatory life sentences on those convicted of a serious sexual or violent offence for a second time; and if he will make a statement. [34523]

Mr. Howard: Those who repeat serious violent or sexual offences should not be released until it is safe to do so. Our proposals for an automatic life sentence will achieve that objective.

Mr. Llwyd: I thank the Home Secretary for that reply. When will he start listening to senior members of the judiciary, such as Lord Chief Justice Taylor, Lord Donaldson, Lord Justice Rose, and so on, who take the view that the imposition of a mandatory life sentence on rapists is foolish and very dangerous? It will give the rapist an incentive to kill the victim because, at the end of the day, he will get the same sentence. With respect, I would have thought that, bearing in mind the right hon. and learned Gentleman's appalling record in the courts over the past 12 months, it is high time that he started listening to the judges.

Mr. Howard: If the hon. Gentleman took that argument to its logical conclusion, he would be against all life sentences of imprisonment. I am not. I think that life sentences of imprisonment have an important part to play because they impose a risk assessment before someone who has committed a serious sexual or violent offence is released to be a danger to the public again. I am not prepared to defend a situation in which 217 offenders committed a second serious sexual or violent offence in 1994. Only 10 of them were given life sentences, which meant that they were subject to a risk assessment before they were released to be a further risk to the public. I put the protection of the public at the top of my agenda. I hope that all of us who are in positions of responsibility accept that.

Mr. Bellingham: Is my right hon. and learned Friend aware that one reason why his standing and credibility has gone up is that he has listened not to the judges but to the public and my constituents? Does he agree that people who are convicted of serious sexual offences should be properly monitored after their first offence and when they are released? What steps are being taken?

Mr. Howard: I am grateful to my hon. Friend. One of the proposals in the White Paper is for extended supervision of sex offenders, and that goes directly to the point that he raised. The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) should pay attention to the views of police officers, as well as to those of the public. The police must deal with serious, violent and persistent criminals at the sharp end of life on our streets, day in, day out and night in, night out, and their opinion on the matter is worthy of special respect.

Mr. Spearing: Is the Home Secretary aware that the two murderers of the late Daniel Handley were second-time offenders? Is he further aware that Daniel Handley and his family were constituents of mine? Can he confirm that his Department is responsible for the national criminal intelligence service? In view of press reports and my correspondence with the Minister of State, will he say categorically whether that service did or did not play an efficient, effective and timely role in the apprehension of those two murderers?

Mr. Howard: I hope that the hon. Gentleman will forgive me, but I had no prior notice of that question and I have not seen the whole of his correspondence with my hon. Friend the Minister of State. I am sure that she has looked into the matter, and has given him as full a response as possible.

Mr. Allason: Does my right hon. and learned Friend agree that extended supervision of released violent offenders is long overdue? Does he further agree that the distress and tragedy of a victim of a serious violent and sexual assault is exacerbated by the knowledge that a first offender has been released to commit an identical crime the second time around? Will he please continue to listen to the public and not to the judges?

Mr. Howard: I agree with my hon. Friend about the great distress caused to victims in these circumstances. That is one of the reasons behind my proposals for honest sentencing, and also for extended supervision of sex offenders.

Prisons (Ministerial Visits)

9. **Dr. Lynne Jones:** To ask the Secretary of State for the Home Department if he will make a statement on the purposes of ministerial visits to prisons. [34525]

Miss Widdecombe: I visit prisons to see for myself what is happening at individual establishments and to talk to staff, to prisoners and to members of boards of visitors about matters of concern to them. It is a particularly important part of my role as Prisons Minister and I have so far visited 70 prisons.

Dr. Jones: What action did the Minister take following her visit to Holloway prison on 27 July last year? Was not her visit well in advance of the decision in December by the chief inspector of prisons to pull out his team because of the appalling conditions he found there? Does she consider that she misled the House on 28 March this year by denying that she had visited the prison six months before the start of the inspection, while conveniently omitting to mention that she had been there more than four months before?

Miss Widdecombe: The answer to the second part of the hon. Lady's question is simple. She asked whether I had visited the prison six months earlier, but the hon. Lady could not add up—I therefore pointed out that she had got it wrong. I am sorry that she could not add up. As for what I did when I went to Holloway, it is on the record that I drew my concerns to the attention of the Prison Service, and it is equally on the record that the Prison Service put in an extra £300,000 in October of that year to combat the problems at the prison.

Mr. Amess: Does my hon. Friend agree that our recent visit to Chelmsford prison was extremely valuable, as we saw at first hand that prison does act as a deterrent and that Chelmsford is an extremely well-run prison?

Miss Widdecombe: I congratulate Chelmsford prison on its many achievements, and I confirm what my hon. Friend says. It is a well-run prison, and there was much in it that impressed me.

Mr. George Howarth: On the subject of ministerial visits to prisons, when the Minister visited Parkhurst prison several months ago—as I did yesterday—did she look at the special secure unit on which more than £3 million has been spent? Did she also see the additional security measures installed there that have cost many millions of pounds more? Is she aware that no prisoner has ever spent a night in that special secure unit? Is she further aware that the additional security measures are far in excess of the need for the security classification of the prison, because the Home Office and Ministers reduced its security categorisation from A to B?

Is she not ashamed to have wasted so much taxpayers' money on security measures that are no longer necessary for that prison? Why does she not reconsider the matter and raise its classification back up to security A?

Miss Widdecombe: Just now, the Opposition were complaining that we had not responded to General Learmont's report. We removed Parkhurst from the dispersal system in direct response to a major recommendation in General Learmont's considered report. His reasoning for removing the prison was rather more considered than that just shown by the hon. Gentleman.

Home Beat Policing (Bromley)

10. **Sir John Hunt:** To ask the Secretary of State for the Home Department what assessment he has made of the current level of home beat policing in the London borough of Bromley. [34526]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): The Commissioner of Police of the Metropolis tells me that all areas of Bromley are covered by home beat officers—and that the number of police officers on duty in the borough has been rising since January this year.

Sir John Hunt: If my hon. Friend agrees, as I hope he does, that a bobby on the beat represents a strong deterrent to crime as well as giving great encouragement to the general public, can he give a firm undertaking that the recent police restructuring in Bromley will not lead to any diminution in home beat cover?

Mr. Kirkhope: In Bromley, there is great concern that the police presence should be as near the public as possible in the community. That is why there are now 19 home beat officers, plus 25 officers attached to dedicated sector teams in the community and eight attached to the town centre unit. It is the intention in Bromley to meet the target of 481 officers overall long before March 1997, which was the original date intended. The police expect to reach that target by September this year.

Under-age Drinking

11. **Mr. Gallie:** To ask the Secretary of State for the Home Department what actions he is taking to curb under-age drinking; and if he will make a statement. [34527]

Mr. Kirkhope: My right hon. Friend the Secretary of State for Scotland and I believe that more effective measures are needed to prevent under-age drinking in public places. When there is a suitable legislative opportunity, we propose giving the police a new power to confiscate alcohol from under-age people drinking in public. That would give the police the means to deal with the problem immediately and at source.

Mr. Gallie: I thank my hon. Friend for that commitment. I draw to his attention the fact that it will be warmly welcomed in my constituency, where alcohol

abuse by youngsters under the drinking age is a cause of constant aggravation. Can he assure me once again that there will be early legislation on that matter?

Mr. Kirkhope: I am sure that I can give my hon. Friend that assurance. In doing so, I congratulate him on the way in which he has campaigned vigorously for a change in the law. Only a few days ago, at the Scottish Grand Committee meeting, my hon. Friend once again referred to the matter. We do not quite know the vehicle that could be used—perhaps a private Member's Bill would be the most appropriate—but we are keen to see that change in the law, because it will have an impact on what is undoubtedly a considerable nuisance.

Mr. Michael: Will the Minister acknowledge that the promise of action to tackle the possession of alcohol by young people follows the initiative taken by Labour-controlled Coventry city council to limit drinking on the streets? Will he also consider stiffer penalties for those who sell alcohol to under-age young people, to ensure that action is taken on the issue and that we do not just have words? Given that the Minister has had legislative opportunities coming out of his ears with the number of Bills that the Home Office has introduced in recent years, does he accept that he would have the co-operation of the Opposition if he were positive about bringing forward legislation at an early date?

Mr. Kirkhope: I am almost gobsmacked by an offer from the Opposition to support Government measures to bring about greater law enforcement—it is rare for them to do so, but I welcome it. Perhaps in the meantime, I might tell those local authorities that are concerned with the problem, as Conservative Members are, that they now have the ability to take action under byelaws if they so wish. Although prosecutions of those who sell alcohol to underage people continue, the number of such offences, I am glad to say, has been dropping in the past few years.

Police Information

12. **Mr. Dykes:** To ask the Secretary of State for the Home Department what plans he has to hold discussions on sharing of police information with the United States Secretary of the Interior. [34528]

Mr. Howard: We co-operate closely with the United States in tackling organised and international crime at both governmental and operational levels. Sharing police information on this and wider policing issues will be an important subject of discussion during my visit to the United States later this month when I shall meet the US Attorney-General, who is responsible for policing matters.

Mr. Dykes: I thank my right hon. and learned Friend for that answer and wish him well on his important forthcoming visit. Will he confirm that the experience of senior US officials has been that police intelligence information sharing and anticipatory surveillance are more important than the outward appearances of phenomena such as border guards? Will their interest in Europol be confirmed by his enthusiasm now for the Europol arrangements, after recent hesitations?

Mr. Howard: There has been no hesitation on our part on Europol. I fully expect that we shall be among the first countries to ratify the Europol convention. On intelligence in relation to border controls, we need the benefits of intelligence but we also need border controls. That is why we have said that we have every intention of maintaining our existing system of frontier controls.

Mr. Pope: Will the Home Secretary join me in congratulating the *News of the World* on exposing the growth in Britain of the Ku Klux Klan, which is controlled from bases in the United States? Will he hold urgent talks with his opposite number in the United States to try to eradicate the growth of that evil and odious organisation in the United Kingdom?

Mr. Howard: I am not sure that the United States Attorney-General will be able to assist to any great extent in that matter. The agenda for my discussions with her has not yet been formalised, but I shall consider the hon. Gentleman's comments.

Mrs. Ann Winterton: Will my right hon. and learned Friend, in his discussions with his opposite number in the United States, place a high priority on how best we can control child pornography in media such as the Internet? Does he believe that that is a vital subject, that we must protect our children and that ways must be found for our two countries, and other countries, to co-operate to cut the number of paedophiles?

Mr. Howard: My hon. Friend knows the high importance that I attach to that subject. She also knows that we have already been able to convict people in Britain who have been using the Internet for the transmission of pornography, including child pornography. The police will remain vigilant so that those who use the Internet for that evil purpose can be brought to justice.

Firefighters (Diabetes)

13. **Mr. Pickthall:** To ask the Secretary of State for the Home Department what recent discussions he has had with the firefighters unions about the regulations regarding diabetes. [34529]

Mr. Sackville: Guidance to chief fire officers on the employment of diabetics in the fire service was issued in February 1995. There have been no recent discussions with firefighters unions on this issue.

Mr. Pickthall: Does the Minister think that it is sensible or just that firefighters who become insulin dependent are invariably dismissed from front-line services? Should not such decisions be made on the ground of individuals' medical records, not under a blanket policy that is based on ignorance?

Mr. Sackville: Perhaps I can correct the hon. Gentleman. Until recently, there was a blanket ban on insulin-dependent diabetics serving in the fire service. Last year, it was decided that each case should be taken on its merits. For that reason, the joint working party on medical and physical standards has ruled that, if people who develop diabetes during their service pass certain standards of

fitness and control of their diabetes, they can remain in the service. As the hon. Gentleman knows, there have been recent judgments by appeal panels to that effect.

Dorset Police Authority

15. **Mr. David Atkinson:** To ask the Secretary of State for the Home Department what is the percentage increase in resources to the Dorset police authority for the current year. [34531]

Mr. Kirkhope: The Dorset police authority's spending power for 1996-97 will be 6.2 per cent. more than last year, an increase well above the national average.

Mr. Atkinson: On behalf of my constituents, I thank my hon. Friend for that real increase in the resources of the Dorset police this year. Will he confirm that, since 1979, under the Conservatives, spending on Dorset police has increased by 112 per cent. in real terms and that the number of police officers and civilian support staff has increased by 467, as a result of which crime is coming down in Dorset? Can he say by how many he expects the number of police officers in Dorset to increase in the next three years?

Mr. Kirkhope: I agree entirely with the statistics that my hon. Friend has just put to the House. Crime is coming down in Dorset. Spending is going up in Dorset. Police pay has gone up in Dorset. Indeed, the spending power of Dorset has increased dramatically. On top of that, Dorset is one of the beneficiaries of our closed circuit television challenge competition and has done extremely well out of it. That will help to curb crime even further in the future.

PRIME MINISTER

Engagements

Q1. **Mr. Skinner:** To ask the Prime Minister if he will list his official engagements for Thursday 4 July. [34546]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Skinner: Is the Minister aware that, in the next two or three days, Members of Parliament and Ministers will be voting to set a new and increased national minimum wage for Members of Parliament and Ministers? If it is good enough for them, why can we not have a national minimum wage for everyone else? If those increases go beyond the pay barrier, will the Government give a guarantee that workers, including nurses and others, and pensioners will all receive the same?

The Prime Minister: I am not at all sure that the hon. Gentleman carried every Opposition Member with him with that particular remark.

The point about a minimum wage, of course, is the impact that it would have on the capacity to employ people. That is the point that we have repeatedly made. That is one of the reasons why unemployment is falling in this country, whereas it is rising in other countries. We intend to continue to see a downward trend in unemployment, which is why we do not favour the policies that the hon. Gentleman advocates.

As for the report that will be published this afternoon, let me say first to the hon. Gentleman that it is worth remembering precisely why the review was set up. It was for two reasons essentially: first, it was necessary to devise a new formula for determining Members' pay as the old one had broken down and, secondly, 300 Members of the House, of whom 200 were Labour Members, had called for such a review—not the hon. Gentleman, I concede that—in a motion before the House.

Following the consultation that I have had with leaders of other political parties, it is clear that they do not wish to express a view and that they believe that it is a matter for the House as a whole to decide. The Cabinet decided this morning to offer the House an opportunity to vote for the recommendations as they stood, but the Government will be recommending and also voting for restraint.

Mr. Elletson: Does my right hon. Friend agree that defence exports earn this country billions of pounds every year and guarantee thousands of jobs in Lancashire and elsewhere? Is it not, therefore, an absolute disgrace that Labour Members now oppose the sale of British defence equipment to Indonesia, Malaysia, Saudi Arabia and, some of them, even to the world's largest democracy, India? Does not that show that workers in the defence industry face a real danger from the Labour party?

The Prime Minister: Defence is a very important industry in this country and one that plays a very important part in our economy, both in export earnings and, of course, in job provision in many parts of the country—the north-west, the west country and many parts of the home counties as well—so it is extremely important. My hon. Friend is right to draw attention to the policies of the Labour party. It is also right for the House to note that the further defence review promised by the Labour party promises to cut sufficient from the funds to ensure that there would be no money at all for the Royal Navy.

Mr. Blair: Are this morning's newspaper reports correct that the selective slaughter scheme for beef is now to amount to 120,000 cows, which is a higher figure than previously thought, and that an additional £100 million, £200 million or possibly more will have to be paid in compensation on top of the £2 billion that the Prime Minister has already mentioned? Are those reports correct?

The Prime Minister: It is not possible to be entirely clear precisely how many animals will be slaughtered. What is clear is what was set out in the 30-months-plus scheme, with which I think the right hon. Gentleman is familiar. Beyond that, we are asked from time to time to make estimates of precisely what the figures are, and an estimate of about 120,000 is the best that we can make—that figure has been around for some considerable time. The cost is the cost that we have set out on previous occasions.

Mr. Blair: I think it is clear that the number is to be greater than originally anticipated. When the Prime Minister made his statement to the House earlier, he suggested that the reports of additional slaughter schemes

were incorrect. Will he confirm whether, as a result of the Florence summit and the statement from the Ministry of Agriculture, Fisheries and Food last night, the 1989 to 1990 cohort is to be included in the selective slaughter scheme, which will increase the number of cows involved? Last night, the Minister of Agriculture, Fisheries and Food apparently said that it would take six to nine months for the scheme to be implemented. Does the Prime Minister still hold to November of this year as the date by which the ban will be completely lifted?

The Prime Minister: Yes; on the information we have, we still hold to the dates that we set out, but, as I said at the time, those dates depend on our meeting the requirements, which I previously set before the House and which we believe we can meet in the time scale that I set out. Long before I went to Florence, there was a lot of discussion about the 1989 to 1990 cohort involving both my right hon. and learned Friend the Minister of Agriculture and me. There is a distinction between the compulsory slaughter and the voluntary scheme that exists for the 1989 to 1990 cohort—it has to be voluntary, because there is no means of determining precisely which animals would qualify for it.

Mr. Blair: With due respect to the Prime Minister, the Agriculture Minister had said that the 1989 to 1990 cohort was not to be included and it is now clear that it is. The Agriculture Minister now says that the lifting of the ban may or may not take place at the end of the year. As more details emerge, is it not clear that the costs will be greater, the number of cattle slaughtered will be higher and the time scale will be longer—those prices are all to be paid by the British people?

The Prime Minister: The right hon. Gentleman seems to have lost sight of the two fundamental reasons why the policy is necessary. The first is to ensure public health—a point that has not crossed his lips at any stage of the questions that he has bothered to ask me on the subject. The second reason is to ensure that the British beef industry will be able to recover and recapture the markets around the world for prime British beef. That is the point at stake: the livelihoods of 650,000 people. It would be helpful if, for once, instead of the pedantry that we have heard from the right hon. Gentleman, he acknowledged, first, the need to deal with the matter in the interests of the beef industry and, secondly, the need to deal with it in the interests of public health.

Mr. Butcher: Will my right hon. Friend give an assurance that he will never introduce a policy which, as the price of a sell-out to Scottish nationalism, would bring in the compulsory dismemberment of England into regions? That latter policy would be purely to justify the continued presence of Scottish Members of Parliament in the House. Does my right hon. Friend further agree that such a policy would set in trend a series of developments that would be bad for the cohesion of England, bad for Scotland and bad for a Union that has served our people so well?

The Prime Minister: I believe that my hon. Friend speaks for millions of people in every part of the United Kingdom. *[Interruption.]* The dangers that arise from the Opposition's policies are self-evident and many people are beginning to see them. *[Interruption.]* Why are the significant questions not answered? If Scotland has its own Parliament, why should there be continued over-representation of Scottish Members in the House? What about the position of hon. Members who represent Scotland? If they determine some issues in a Scottish Parliament, by what logic or equity should they vote for those matters as far as they affect England, Wales and Northern Ireland? If the Labour party has no interest in introducing new taxes, as the right hon. Member for Sedgefield (Mr. Blair) says, why is he having a referendum to try to approve them in Scotland?

Q2. **Mr. David Marshall:** To ask the Prime Minister if he will list his official engagements for Thursday 4 July. [34547]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Marshall: Does the Prime Minister fully realise how much the Labour party in Scotland looks forward to his visit? Will he today, or at the Scottish Grand Committee meeting in Dumfries tomorrow, answer my question, which his deputy dodged last Thursday? Why is it all right to offer Northern Ireland devolution, with a Secretary of State in the United Kingdom Cabinet and no reduction in the number of Members of Parliament at Westminster, while denying the same to the people of Scotland? How does he justify treating the two countries so differently?

The Prime Minister: How does the hon. Gentleman justify tax raising in Scotland and not in Wales? That is the distinction to which the hon. Gentleman must bend his mind. If he cares to read the speech that I made a week ago—I shall send him a copy—he will see in detail a series of reasons why there is a clear distinction between Northern Ireland, Scotland and Wales. The hon. Gentleman had better bend his mind to his own policy: why a tax-raising power in Scotland but a non-tax-raising assembly in Wales? What has he got against the Scots, and why not not he trust the Welsh?

Q3. **Mr. Amess:** To ask the Prime Minister if he will list his official engagements for Thursday 4 July. [34549]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Amess: Will my right hon. Friend reconfirm his commitment to the assisted places scheme and to doubling it? Does he agree that, if the scheme were abolished, those children would still have to be educated in the state system, thus producing a small net saving? Does not that simple piece of arithmetic demolish the shadow Chancellor of the Exchequer's policy to abolish the scheme and spend the money in the primary sector?

The Prime Minister: I fear that some of the figures issued by the shadow Chancellor this morning are shown to be wholly wrong, even on cursory examination. It was already clear before today that the windfall tax is unravelling before the Opposition's eyes, and it certainly could not pay for the new pledges that they make. Sadly, the shadow Chancellor seems to have got his sums wrong. He has inflated the amount that he hopes to raise by forgetting to include the cost of sending the children who

were in assisted places schemes back to the state sector. It can be seen simply from a cursory glance at the Opposition's new plans that the sums do not add up. The new Labour party's policies mean new taxes: taxes in Scotland; taxes on people with children aged between 16 and 18 who would lose child benefit; taxes for living in London; and taxes on jobs, with the social chapter and a minimum wage. That is what is offered by the Labour party. No wonder we talk of new dangers.

Mr. Hoon: The Prime Minister has rightly condemned those who oppose the rule of law and those who fail to follow the courts' decisions. Will he unequivocally condemn Governments who refuse to implement, or threaten to refuse to implement, the European Court of Justice's decisions?

The Prime Minister: The hon. Gentleman knows that this Government implement the regulations. Where we think they are wrong—in some cases we do—we shall raise the matter at the intergovernmental conference to change the underlying European Community law. I am glad that the hon. Gentleman is so keen on ensuring that the law is obeyed. I hope that, in the interests of providing good, strong law enforcement, he will now apologise for the number of occasions on which he and his colleagues voted against law enforcement measures introduced by the Government.

Q4. **Sir Peter Tapsell:** To ask the Prime Minister if he will list his official engagements for Thursday 4 July. [34550]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Sir Peter Tapsell: Is my right hon. Friend aware that, in my Lincolnshire constituency, those who work in the seaside resorts and on the land are in the habit of working far more than 48 hours a week during the summer, although often less in the winter? If the Brussels Commission is to impose its directive limiting the number of working hours to 48 hours a week with effect from 23 November, will that not seriously reduce the standard of living of many of my constituents? If the European Court of Justice seeks to overturn that part of the social chapter from which we have opted out, will my right hon. Friend take steps to reassert it?

The Prime Minister: My hon. Friend has neatly picked up the point to which I alluded in response to the previous question, which was asked by the hon. Member for Ashfield (Mr. Hoon). I share my hon. Friend's concern on behalf of his constituents.

The European Court has not yet given its final judgment on our challenge to the working time directive—although the Advocate General's opinion was not encouraging. If we lose in that judgment, we shall seek treaty change at the intergovernmental conference to ensure that the social protocol is not undermined by presenting social measures in the guise of health and safety.

I reached an agreement on ensuring that we were not covered by that at Maastricht, and I intend that that agreement shall be kept. Our colleagues in Europe need not expect that we will reach further agreements at the next intergovernmental conference unless, at that conference, they are prepared to restore the agreement that I reached at Maastricht. It specifically deals with the matter referred to by my hon. Friend.

Mr. Salmond: The Prime Minister is coming to Dumfries tomorrow to speak at the Burns supper and to celebrate the bicentennial of Scotland's national bard. Is he aware that the lines that he has twice quoted in the House from "The Dumfries Volunteers" were written when Burns was under investigation by the Government of one of his predecessors for sedition as a radical and a Scottish nationalist? Will the Prime Minister demonstrate his knowledge of all things Scottish—stretching from stones to poems—and remind the House of the first two lines of Burns' most famous poem "Tam o'Shanter"?

The Prime Minister: I have no intention of regaling the House with poetry. I enjoyed listening to "Tam o'Shanter" last time I attended a Burns supper—and, with a bit of luck, I will hear it again tomorrow night. Rabbie Burns had a varied political career during his lifetime. As the hon. Gentleman would know, Burns' political career was varied as to where he gave his affections—and they were not affections that the hon. Gentleman would follow.

Royal Assent

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Treasure Act 1996
Criminal Procedure and Investigations Act 1996
Offensive Weapons Act 1996
Family Law Act 1996
Commonwealth Development Corporation Act 1996
Sexual Offences (Conspiracy and Incitement) Act 1996
Community Care (Direct Payments) Act 1996
Defamation Act 1996
Trading Schemes Act 1996
University College London Act 1996

Business of the House

3.32 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows:

MONDAY 8 JULY—Remaining stages of the Housing Grants, Construction and Regeneration Bill *[Lords]*.

Motions on the Industrial Tribunals (Northern Ireland) Order and the Employment Rights (Northern Ireland) Order.

TUESDAY 9 JULY—Opposition Day [18th allotted day]. Until about seven o'clock, there will be a debate on water metering; followed by a debate on the promotion of family-friendly employment. Both debates will arise on Opposition motions.

Motions relating to the occupational pension schemes regulations. Details will be given in the *Official Report*.

WEDNESDAY 10 JULY—Until two o'clock, there will be debates on the Motion for the Adjournment of the House.

Remaining stages of the Education (Scotland) Bill *[Lords]*.

Remaining stages of the Deer (Amendment) (Scotland) Bill *[Lords]*.

Motions on Members' pay and allowances.

Motion on the Ministerial and Other Salaries Order.

THURSDAY 11 JULY—Until about seven o'clock, there will be a debate on the White Paper on development and training for civil servants, on a Motion for the Adjournment of the House.

Debate on parliamentary procedure, on a Motion for the Adjournment of the House.

FRIDAY 12 JULY—Private Members' Bills.

MONDAY 15 JULY—Consideration of Lords Amendments to the Asylum and Immigration Bill.

Motion on the Education (Assisted Places) (Amendment) Regulations.

Motions on the Local Authorities (Contracting Out of Tax Billing, Collection and Enforcement Functions) Order and the Local Authorities (Contracting out of Investment Functions) Order.

TUESDAY 16 JULY—Opposition Day [19th allotted day]. On a motion yet to be announced.

WEDNESDAY 17 JULY—Until two o'clock, debates on the Motion for the Adjournment of the House.

In the afternoon, the summer economic debate on a Government motion.

THURSDAY 18 JULY—Estimates Day [3rd Allotted Day]. A debate on British forces in Bosnia, followed by a debate on housing need. Details of the estimates will be given in the *Official Report*. At 10 o'clock, the House will be asked to agree all outstanding estimates.

FRIDAY 19 JULY—a debate on science policy and human genetics on a Motion for the Adjournment of the House.

The House may also wish to know that it is proposed that on Wednesday 10 July there will be a debate on Maritime Policy in European Standing Committee A and a debate on the EC Budget and the financial perspective in European Standing Committee B. On Wednesday 17 July there will be a debate on methods of trapping wild animals in European Standing Committee A. Details of the relevant documents will be given in the *Official Report*.

[*Wednesday 10 July: European Standing Committee A—European Community Document: 6813/96; Maritime Policy. Relevant European Legislation Committee Report: HC 51-xxi (1995-96); European Standing Committee B—European Community Documents: (a) COM(96)300; EC Preliminary Draft Budget for 1997, (b) 6431/96 + COR 1; Financial Perspective. Relevant European Committee Reports: a) HC 51-xxiii (1995-96), b) HC 51-xix (1995-96) and HC 51-xxii (1995-96).*

Wednesday 17 July: European Standing Committee A—European Community Document: 4198/96; Wild Animals: Trapping Methods. Relevant European Committee Report: HC 51-viii (1995-96).]

Tuesday 9 July—Occupational pension schemes regulations: the relevant regulations are as follows: Occupational Pension Schemes (Pensions Compensation Board Limit on Borrowing) Regulations 1996; Occupational Pension Schemes (Mixed Benefit Contracted-out Schemes) regulations 1996; Occupational Pension Schemes (Requirement to Obtain Audited Accounts and a Statement from the Auditor) Regulations 1996; Occupational Pension Schemes (Member-Nominated Trustees and Directors) Regulations 1996 (SI No 1216).]

Thursday 18 July—Estimates Day [3rd Allotted Day]: Class I, vote 1, Defence: Operational and support costs: in so far as it relates to British Forces in Bosnia; relevant report: fifth report from the Defence Committee, Session 1995-96, (HC 423), British Forces in Bosnia; class VI, vote 1, Housing and Construction, England, in so far as it relates to housing need; relevant report: second report from the Environment Committee, Session 1995-96, (HC 22), Housing Need, and the Government's reply (CM 3259).

Mrs. Ann Taylor: I thank the Leader of the House for that information and, in particular, for agreeing to the debate on procedure next Thursday, for which we have been asking for some time. We are near the recess and I do not wish to overburden the Leader of the House with requests for debates, but I shall press him on some significant issues so that the Government can find time for a statement or a debate before the summer recess. One such topic was not covered properly at Home Office questions today. In light of the new information given by the director of the Prison Service today on projected increases in the prison population and the related security implications, which have been highlighted by Learmont, will the House have an opportunity to have a full debate on the issue before the summer recess? We need a proper debate, not just the excited answers that we got from the Minister of State this afternoon.

The Leader of the House will know that my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) had an important Adjournment debate on holiday airline safety yesterday. My hon. Friend has received further information, following the speech by the Minister for Transport in London yesterday, which shows that the system of licensing that the Minister said was impossible already exists in some parts of the world—for example,

Australia. As the Minister may have inadvertently misled the House yesterday and as further concerns about holiday safety have been expressed in a *Which?* report today, will the Leader of the House arrange a statement or a future debate so that the record can be corrected and the concerns of holidaymakers addressed?

The Leader of the House may recall that the Department of Health announced a consultation exercise last October on the issue of the employment of children. That is a serious problem, especially if any further relaxation of the rules were to be considered. Can the Leader of the House tell us when we can expect an announcement or a debate on that issue and will he undertake to ensure that the submissions that have been made as part of that consultation will be placed in the Library so that hon. Members can have access to that information?

Finally, a Government statement on defence procurement was expected this week by hon. Members on both sides of the House and by the defence industry itself. In view of the fact that such a statement will have implications for billions of pounds of taxpayers' money and tens of thousands of jobs, does the Leader of the House agree that it is unacceptable for the Cabinet, split though it may be on this issue, to play cat and mouse with the livelihoods of tens of thousands of defence workers in that way? When will that announcement be made? Will he give an assurance that any announcement on defence procurement will be made first in the House?

Mr. Newton: On the last point, I obviously do not accept for a moment the hon. Lady's "cat and mouse" reference. As those decisions are very important to many people—including many of my constituents—it is right that they should be considered carefully. I draw attention to the fact that my right hon. Friend the Secretary of State for Defence will answer questions in the House next Tuesday. In any event, I shall refer him to the hon. Lady's comments. I shall also draw the attention of my appropriate right hon. Friend to her point about consultation on the employment of children.

As to holiday airlines, I draw attention to the fact that my right hon. Friend the Secretary of State for Transport is due to answer questions as early as next Monday. I have noted the hon. Lady's comments—I see that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) is sitting on the edge of her seat. If additional information has been provided to my hon. Friend the Minister for Transport in London which calls into question the accuracy of any of his remarks yesterday, I am sure that he will consider it and respond appropriately as soon as possible. I shall bring the hon. Lady's remarks to his attention.

As to the prison population and the Learmont issues, I am plainly not in a position to add to what Home Office Ministers said not long ago. No doubt the hon. Lady and others will have further opportunities to raise those points, but I cannot promise to find time for a debate, in light of the pressure of other business between now and the recess.

Lastly—and validating my previous point—I have acceded to the hon. Lady's request for a debate on procedure. She should regard that as a success, and I am grateful for her initial kind words.

Mr. John Redwood (Wokingham): Will the Government make time available before the summer recess to debate our options should the European Court of Justice find against us regarding the 48-hour working week directive? That is the banning or limitation of overtime directive, and we may have to implement it before the intergovernmental conference completes its deliberations. Will the Government make time available to discuss contingency plans?

Mr. Newton: My right hon. Friend will have heard the very firm words that my right hon. Friend the Prime Minister uttered from this Dispatch Box less than 15 minutes ago, which I am sure he welcomed. I cannot add to them at this stage.

Mr. Robert Hughes (Aberdeen, North): The Prime Minister mentioned during Question Time that the review body report on the pay of Members of Parliament will be published today. Is the Leader of the House aware that the Vote Office is refusing to issue that report, on the grounds that it is not authorised to do so and has not been told when it should be published? As the report has been made available to the press, is it not common courtesy to make it available also to hon. Members?

Mr. Newton: I am sure that the hon. Gentleman's comments will have been noted, and that inquiries will be made—I shall investigate the matter as soon as I have an opportunity. I understand that it was intended to make the report available at 4 pm, as is usual with review body reports.

Mr. Nicholas Budgen (Wolverhampton, South–West): Further to the discussion about the European directive on the 48-hour week, will my right hon. Friend confirm that he expects the European Court to give its judgment some time this week? However, it is likely that the deliberations of the IGC will not be concluded for about 18 months. If the European Court attempts to enforce any adverse judgment against Britain, will my hon. Friend confirm that the British Government intend to reactivate their successful policy of non-co-operation, and determinedly uphold the sovereignty of the House?

Mr. Newton: I note the comments of my hon. Friend, following those of my right hon. Friend the Member for Wokingham (Mr. Redwood), and I must return the same answer.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Is the right hon. Gentleman aware that hon. Members in all parts of the House strongly support the amendments to the Immigration and Asylum Bill made recently in the other place? Will the Government make an early statement on whether they intend to reverse those amendments, so that right hon. and hon. Members can prepare better for that Bill's important remaining stages when it returns to this House on 15 July?

Mr. Newton: The hon. Gentleman is an old hand, and knows that the Government always undertake to consider changes made in the other place. I could comment on the disadvantages of those changes, but I rest on the remark that they are being examined.

Sir John Cope (Northavon): Now that my right hon. Friend extends the courtesy of informing the House of Government business two weeks ahead, why is it that the Opposition consistently refuse to do the same, with Supply days for the second week left blank? Is that because the Opposition are indecisive, or because they are secretive?

Mr. Newton: Judging by many of the exchanges in the ranks of the Opposition over the past week or two, that omission is because they do not know what is their policy.

Mr. Gerald Kaufman (Manchester, Gorton): As the Leader of the House has announced that business for the week after next is provisional, and given that, in the week following, only a few days remain before the summer recess, will the right hon. Gentleman adjust business to allow a debate on the situation in Manchester following the bombing there?

Yesterday, the House spent 17 minutes discussing the Stone of Scone, but it has not spent one minute debating the Manchester bombing in the three weeks since that disaster occurred. We appreciate the letters that the Deputy Prime Minister has been sending to Members of Parliament representing Manchester constituencies and the allocation of money towards rebuilding. However, the city's Members of Parliament are anxious to have the opportunity to raise individual cases on the Floor of the House, such as that of a constituent of mine who was a security guard at the Royal Exchange theatre, but who has been thrown out of his job and had all his employment rights voided.

Mr. Newton: I well understand why the right hon. Gentleman raises such matters on behalf of his constituents, and I respect his efforts. Perhaps I may point the right hon. Gentleman in the direction of the opportunities that can arise on Wednesday mornings. As to his implication that a statement should have been made on the Manchester bombing, it has been established practice for some time not to make statements in the House whenever such an atrocity occurs. The reasons are well understood on both sides of the House.

Mr. John Wilkinson (Ruislip–Northwood): In view of the European Commission's edict earlier this week that the quota for the herring catch in the North sea should be reduced by 50 per cent., will the Minister of Agriculture make a statement to the House next week on the common fisheries policy? Clearly the CFP is not conserving fish stocks, safeguarding livelihoods or protecting the economies of fishing communities around our coasts.

Mr. Newton: I am sure that my hon. Friend understands the difficult background to that issue, given the need to conserve fish stocks in the interests of the industry's future. I will bring his remarks to the attention of my right hon. and learned Friend, who will be answering questions in the House within the period that my business statement covered.

Mr. Alfred Morris (Manchester, Wythenshawe): Speaking as chairman both of the managing trustees of the parliamentary contributory pension fund and of the House of Commons Members fund, I am grateful to the Leader of the House for having kept us informed of developments in relation to the Government's decision to refer to the Senior Salaries Review Body the questions of right hon. and hon. Members' pay and pensions. I am sure that the Leader of the House will want to respond in the same spirit to the widespread interest in the Prime Minister's response to the question for written answer that appears on the Order Paper the first time today, about the Government's attitude to the review body's report. Does the right hon. Gentleman appreciate that it would also be helpful to right hon. and hon. Members if he can say anything about the procedure to be followed by the Government in next Wednesday's debate?

Mr. Newton: I am not in a position to pre-empt the written answer that my right hon. Friend the Prime Minister will give, but of course I shall seek to make the Government's intentions clear to the House as soon as I sensibly can.

Sir Michael Spicer (South Worcestershire): Further to my right hon. Friend the Prime Minister's very interesting comments on the 48-hour week, to which my right hon. Friend the Leader of the House referred, surely there will be some extremely complex matters to be considered relating to the potential reform of the European Court of Justice? Do not those matters merit further discussion by the House before the House rises?

Mr. Newton: I note my hon. Friend's request, and, as ever, I shall bear it in mind. However, it will be obvious to anyone who has listened to my statements in the past couple of weeks or who has watched the progress of the House's business on Monday or Tuesday of this week, for example, that there is considerable pressure on our time before the recess.

Mr. Dennis Skinner (Bolsover): I wonder whether the Leader of the House will have a word with the Home Secretary about a matter that I raised with him, so that he can make a statement at the appropriate time. The firefighters in Derbyshire are engaged in an industrial dispute, and, a few weeks ago, the three Members of Parliament for Derbyshire—myself, my right hon. Friend the Member for Chesterfield (Mr. Benn) and my hon. Friend the Member for North–East Derbyshire (Mr. Barnes)—requested to meet the Home Secretary to try to resolve the dispute. As yet, we have not had an answer, although I challenged him about it in the House. Will the Leader of the House convey to him the need to resolve this matter, so that we can try to get the show back on the road?

Mr. Newton: I shall, of course, convey the gist of the hon. Gentleman's question to my right hon. and learned Friend.

Sir James Hill (Southampton, Test): My right hon. Friend will probably know of events in the island of Sri Lanka over the past few months, and that the People's Alliance Government have defeated the Tamil Tigers. Meanwhile, however, the Tamil Tigers have stripped hospitals, schools and every scrap of equipment in the occupied area. A small delegation from the House will go there at the end of this month, and they will be

questioning us about medical supplies and food. I wonder whether we could have a statement next week, of whatever length, on this very important matter?

Mr. Newton: I cannot promise a statement on the matter next week, but I shall bring my hon. Friend's remarks to the attention of my right hon. and learned Friend the Foreign Secretary, who will be in the House to answer questions next Wednesday.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am grateful to the Leader of the House for his kind remarks earlier. While he is talking about aviation, will he have a word with the Foreign Secretary and ask him whether he can explain why, on his last trip, he chartered a plane from a US firm rather than from a British firm? At a time when the US Government are refusing permission to UK charterers to have the same facilities, that is not, to put it at its mildest, very tactful.

Mr. Newton: I can at least bring that prospective question to the attention of my right hon. and learned Friend, who, as I have just said, will be in the House next Wednesday.

Sir Irvine Patnick (Sheffield, Hallam): Will my right hon. Friend allow a debate next week on local authority powers—bearing in mind the fact that my right hon. Friend the Secretary of State for the Environment is sitting beside him—so that we can examine what they are? This request arises because Yorkshire and Humberside's regional assembly, which is composed of all the councils in the area, is levying funds and taking over powers, which it has no powers to do. Can local authorities' powers be clearly and properly defined?

Mr. Newton: My hon. Friend has kindly already noted that my right hon. Friend the Secretary of State for the Environment is, in brotherly fashion, sitting by my side. In those circumstances, I shall regard the question as having been transmitted directly.

Mrs. Ann Clwyd (Cynon Valley): Will the Leader of the House carefully consider finding time for a general debate on child abuse? I know that a judicial inquiry is about to start; however, over the past few weeks, I have spoken to many victims of sexual abuse and received many telephone calls and moving letters, all of which make the same point—that it is a great relief to be able to talk to a woman.

May I suggest that, during the course of such a debate, we might consider whether a man is the best person to be in charge of a judicial inquiry involving child abuse? All the victims say the same thing: they find it impossible to talk to a man—whether he is a policeman, a judge or someone else in authority—because, by and large, they have been abused by men.

Mr. Newton: I suspect that there would soon be protests of a different kind were the Government to say that a person of one sex or the other was for that reason alone to be excluded from undertaking an inquiry of that or any other nature. On the general question with which the hon. Lady started, I am not sure that it would be right to have a debate while the inquiry is in progress. A more appropriate time might be when the inquiry has concluded.

Sir Teddy Taylor (Southend, East): Will the Leader of the House reconsider his decision regarding a debate on the 48-hour-week decision of the Euro-Parliament, bearing in mind the fact that the wording of that decision, which I have read, makes it abundantly clear that virtually the whole social chapter would have to apply to this country? Would not the advantage of such a debate be that Members on both sides of the House, of all views on the European Union, and of all positions, from socialist to Conservative, could at least have the opportunity to express an opinion on the breach of a treaty that a British Government have suffered? Would it not be helpful to have such a debate, as a means of giving the House the opportunity to express an opinion, rather than our having a party slanging match?

Mr. Newton: My hon. Friend, whose constituency is in the same county as mine, has now become the fourth Member who, even without our having a debate, has found an opportunity to make his views very clear. I am sure not only that those views will be noted by the Prime Minister, but that my hon. Friend will have welcomed what the Prime Minister said.

Rev. Martin Smyth (Belfast, South): The Lord President told us last week that it was hoped that there would be a meeting of the Northern Ireland Grand Committee before the rising of the House. Is he in a position to inform us when that might be, bearing in mind the fact that this week a mischievous article in the *Belfast Telegraph* spread ignorance by suggesting that that was a new Committee? Others were suggesting that nothing should be done to scrutinise government in this place until people decide what they want over there. Surely it is time that the Grand Committee met to consider the issue.

Mr. Newton: The present position is that the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), hopes to obtain confirmation shortly from all the Northern Ireland parties that they are content for the Committee to meet to debate the reports of the examiner of statutory rules, and also hopes that a suitable date for such a meeting can be found. I shall certainly do all I can to assist.

Mr. Warren Hawksley (Halesowen and Stourbridge): Will my right hon. Friend consider arranging a debate before the recess on the allocation of lottery funds? One thinks especially of the allocations made by the charities board. In the most recent round, it gave money to gay organisations and to people fighting asylum deportations, yet refused an application for about £160,000 by Crimestoppers for a campaign called "Say No and Phone", which it had organised before and wished to extend for two years. As youth and the fight against crime were intended to benefit from the allocations, the Crimestoppers campaign should be supported. The House should be able to make its view known on that point.

Mr. Newton: My hon. Friend might care to think of that subject as one for a Wednesday morning. No doubt he will recall the observations by the Prime Minister and

[Mr. Newton]

the Secretary of State for National Heritage when the grants that he mentioned were announced, and I am sure that those words are being carefully considered.

Mr. D. N. Campbell-Savours (Workington): Will the Leader of the House place on the record whether he expects the code of conduct produced by the Standards and Privileges Committee to be published before the recess?

Mr. Newton: The hon. Gentleman is a distinguished member of that Committee, and one who is being most helpful in our deliberations. He will know well, although I appreciate why he wants to get the matter on the record, that the answer to his question is yes, we hope to produce the code before the recess.

Mr. Rupert Allason (Torbay): My right hon. Friend will know from his fairly recent visit to Torbay about the importance of the Kingskerswell by-pass. Will he find time for the necessary orders relating to the private finance initiative, which we hope will be supported by Devon county council, to be laid before the House, if not before the recess, as soon as possible on our return?

The economic prosperity of Torbay largely depends on eliminating that bottleneck. The PFI is the only solution, so I hope that my right hon. Friend will carefully consider Government business immediately on our return, so as to get the orders through as quickly as possible. They have the support not only of the Department of Transport but of the Minister for the south-west, our right hon. Friend the Member for Skipton and Ripon (Mr. Curry).

Mr. Newton: I will, as always, be as helpful as is practicable.

Mr. Paul Flynn (Newport, West): May we have time to debate the splendid report that was published this morning by the Transport Select Committee on casualty reduction, which has great potential to reduce fatal accidents, particularly its recommendation that the Government should advertise, and thus make clear to the public, the destructive, killing nature of bull bars? We need that debate so that the Government cannot repeat their disgraceful behaviour in March, when they talked out the Bill that is being re-presented next Friday.

Mr. Newton: I have an increasingly high regard for the hon. Gentleman's persistence, and I shall bring his remarks to the attention of my right hon. Friend.

Mr. David Congdon (Croydon, North-East): Given the disruption and inconvenience experienced by Londoners during the tube strikes, will my right hon. Friend provide an opportunity for an urgent debate on that subject, so that all hon. Members will have an opportunity to discuss it, and perhaps it will give an opportunity for reticent Opposition Members to condemn this unnecessary dispute?

Mr. Newton: That is a very good idea.

Mr. Tony Banks (Newham, North-West): Why have we not had a ministerial statement on the outcome of the International Whaling Commission meeting that took place last week in Aberdeen? After all, the British Government took a firm stand against any resumption of commercial whaling. However, Norway walked out, and now continues to flout the IWC moratorium on commercial whaling. We really should have a statement on that.

If we cannot, can we please have a debate, so that the anger felt by hon. Members on both sides of the House, and public opinion in this country, can be forcefully expressed to Norway, which goes around the world saying that it upholds international agreements, but clearly only those that happen to be in its interests.

Mr. Newton: I am grateful to the hon. Gentleman for recognising the firm position taken by the British Government, and I know him well enough to know that he will indeed welcome it. I cannot promise him a debate, but he is another hon. Member whom I might steer in the direction of a possible application for a Wednesday morning debate.

Mr. Edward Garnier (Harborough): Can my right hon. Friend find time—perhaps it would be a good subject for an Opposition day, since the Opposition do not seem to know what to debate on those days—to debate closed circuit television? That subject would be particularly valuable on an Opposition day, because the Liberal Democrat-controlled Wigston borough council, in my constituency, failed to make an application to the Home Office for funding for CCTV, whereas two grant-maintained schools and a local education authority school that share a campus, supported by Leicestershire constabulary, made a successful bid, and were granted £95,000 to put up CCTV on their campus. Can we please have an early debate on this, because the benefits of CCTV should be better realised by the Liberal Democrat-controlled council in my constituency?

Mr. Newton: That is another attractive idea for a debate, not least because it would give me an opportunity to congratulate my constituents in Witham, Essex, on being successful in the challenge fund.

Mr. Gerald Bermingham (St. Helens, South): Going back to the remarks by my hon. Friend the Member for Dewsbury (Mrs. Taylor) about the prison situation, and following answers given to me yesterday afternoon in the Select Committee, and this afternoon by the Home Secretary, it seems that a very serious problem is being missed. So far this year, there have been six serious alerts in the prison system. The number of prison suicides is rising. Yet the number of prison officers employed is decreasing, because of various cuts, and recruitment is frozen.

In the explosive situation that is developing—particularly as the number of prisoners incarcerated will rise by some 7,000 this year, which will be 7,000 over capacity—is it not time that the House debated the Prison Service?

Mr. Newton: I would be more responsive to the hon. Gentleman if he had taken the trouble to mention that escapes were down by 60 per cent. last year, and if he

had adverted to the fact that, this year, more than £50 million is being spent on security improvements at dispersal prisons, endorsed by Sir John Learmont.

Mr. Christopher Gill (Ludlow): Further to the answers that my right hon. Friend gave my right hon. Friend the Member for Wokingham (Mr. Redwood) and my hon. Friends the Members for South Worcestershire (Sir M. Spicer), for Wolverhampton, South-West (Mr. Budgen) and for Southend, East (Sir T. Taylor), does my right hon. Friend not consider the outcome of the European Court of Justice judgment on the working time directive of such significance politically and constitutionally that the House should be granted a debate on it?

Mr. Newton: My hon. Friend is another to whom I must—and indeed, gladly do—pay my warm respects for his persistence. He brings to five the number of those who have raised that point. I shall also draw his remarks to the attention of my right hon. Friend the Prime Minister.

Mr. Denis MacShane (Rotherham): Given the extraordinary news that Baroness Thatcher is to go to Hong Kong to oversee the transition from British rule to Chinese-communist rule, will the Leader of the House find time before the recess for a debate on Hong Kong? It is more than a year since we have had a specific debate on Hong Kong, there is a great deal of worry and concern there, and Government interventions are needed in the remaining eleven and a half months to try to improve what will be a fairly chaotic situation as Lady Thatcher waves goodbye to Chris Patten and hands back 5 million Chinese people to communist dictatorship.

Mr. Newton: Some of the hon. Gentleman's remarks did less than justice to his perfectly reasonable emphasis on the importance of some of the problems. However, with that said, I am afraid that I cannot at present undertake to find time for a debate before the recess.

Mr. John Marshall (Hendon, South): Will my right hon. Friend arrange an early debate on foreign affairs, so that we can congratulate Mr. Yeltsin on his re-election, which will improve the world's safety and is good news for everyone. Is my right hon. Friend aware that some individuals, who paradoxically supported the Campaign for Nuclear Disarmament when there was a communist Government in the USSR, now say that they want to keep the independent deterrent?

Mr. Newton: I should like to wish President Yeltsin, as I am sure would everybody in the House, a speedy return to full vigour after what has clearly been a very gruelling and hard-fought campaign.

Mr. Nick Ainger (Pembroke): The Leader of the House will be aware that, on Tuesday night, the House did not reach the business on the Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996. In his business statement for the next two weeks, no mention was made of those regulations. Does he intend to provide an opportunity to debate them before the recess?

Mr. Newton: We are obviously considering that matter in the light of what happened on Tuesday evening, which was, of course, as a result of the extensive debate on the Broadcasting Bill.

Mr. Harold Elletson (Blackpool, North): Will my right hon. Friend be able to find time for a debate on the economy in Lancashire, so that we can examine the danger that two of Lancashire's main industries—defence and tourism—face from the Labour party? Is he aware that the restrictions that Labour Members would place on defence exports would decimate jobs in the defence industry in Lancashire, and that the social chapter and the minimum wage would destroy tourism?

Mr. Newton: Without knowing the full details of my hon. Friend's constituency, that certainly sounds like a very good example of the new dangers that new Labour is bringing forward.

Mr. Jim Dowd (Lewisham, West): Will the Leader of the House discuss with his colleague the Minister with responsibility for health in Northern Ireland the latest revelations that 6,000 operations and 55,000 out-patient appointments have been cancelled, and operating theatres in many hospitals will be closed throughout the summer because of cash cuts that his right hon. Friend has imposed? Since the Minister said at the time that there would be service reductions as a result of those cuts, will the Leader of the House ask him to explain to the House whether the cuts are running according to target?

Mr. Newton: I have in fact already asked my right hon. Friend and learned Friend the Secretary of State for Northern Ireland to be here to answer questions next Thursday.

Points of Order

4.7 pm

Mr. Nick Ainger (Pembroke): On a point of order, Madam Speaker. You will have heard the Leader of the House tell us that there is a possibility, and only a possibility, that the Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996 will be debated before the recess.

I have a copy of a leaflet that has been sent to every person who is in receipt of the mobility component of the disability living allowance. It informs them that there is a new law affecting the disability living allowance, and that, from 31 July, the law has changed so that people in hospital might lose the mobility component. Is it in order for the Department of Social Security to issue thousands of leaflets pointing out that the law has changed when it has not? Is that not an abuse of the House?

Madam Speaker: The law has changed and the leaflet is perfectly in order. I have dealt with the matter for other Members who raised it with me through correspondence. The regulations have been laid before Parliament subject to the negative procedure and are therefore in force unless annulled. If he would like to come and see me, I will explain it to him further, but there is no problem about it.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Madam Speaker. During the questions raised by my right hon. Friend the Leader of the Opposition to the Prime Minister this afternoon, there emanated from the back end of the Chamber the word "boring". We can tolerate that, but a strange mooing sound then emanated from a certain Conservative Member. It may be that the Member who made the noise is ill. Could you use your good offices to indicate to the Serjeant at Arms and the various gentlemen ushers that, if the noise is heard again, assistance should be given to its maker?

Madam Speaker: If I were to hear such a noise, I myself would give assistance, by moving whoever made it out of the Chamber.

Local Government (Structural Change)

4.10 pm

The Secretary of State for the Environment (Mr. John Gummer): I beg to move,

That the draft Cambridgeshire (City of Peterborough) (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.

I understand that with this, it will be convenient to discuss the following motions:

That the draft Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Essex (Boroughs of Colchester, Southend-on-Sea and Thurrock and District of Tendring) (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Nottinghamshire (City of Nottingham) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Shropshire (District of The Wrekin) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.

That the draft Berkshire (Structural Change) Order 1996, which was laid before this House on 18th June, be approved.

These 10 orders make up the final stage of the local government review. Between them, they will establish 19 unitary authorities in 10 counties. They are—Plymouth, Torbay, Nottingham, Herefordshire, Southend, Thurrock, Gillingham and Rochester combined, Peterborough, Halton, Warrington, Blackburn, Blackpool, The Wrekin, Bracknell Forest, Newbury, Reading, Slough, Windsor and Maidenhead and Wokingham.

In nine of the counties, the changes affect individual districts or combinations of districts, leaving the rest of the county with two-tier local government. In Berkshire, the order will abolish the county council and set up six unitary authorities—one for each of the existing districts. I shall address the position in Berkshire in more detail later.

Some of the changes were recommended as part of the county structure of reviews, and some emerged from the reviews of individual districts that I directed the commission under Sir David Cooksey to carry out last summer. I should like to take this opportunity to thank Sir David and the commission for their work and their prompt completion of the district reviews. Those who have dealt with the commission and Sir David will know the care with which they approached their task. That work has been invaluable in bringing the review to a satisfactory, coherent and, I believe, widely accepted conclusion.

The recommendations that the orders will implement have been fully explained by the commission in its reports. However, there are two orders on which I feel I ought to comment specifically.

Sir Michael Spicer (South Worcestershire): Why did my right hon. Friend not use the pause created by the

technical revisions required for the order for Hereford and Worcester and the existence of a new chairman of the commission to introduce unitary authorities for Worcestershire as he has for Herefordshire and the other 17 in the list that he has just read out?

Mr. Gummer: My hon. Friend will remember that I sought to remove as much of the uncertainty as I could, while seeking greater coherence in the pattern of local government. All parties in the House believe that the previous proposals lacked the universal coherence that we were looking for. I thought that it was wrong to move further than that and to ask for yet more reviews, particularly where there was no significant pressure for a different outcome. While I understand his disappointment, most people in local government felt that we needed to bring the matter to an end as rapidly as possible so that they could get on with the real job of running their localities.

The recommendations that the orders will implement have been fully explained by the commission, but I want to refer first to Kent and the unitary authority that is proposed, joining together the districts of Gillingham and Rochester upon Medway. I made clear at the beginning of the further district reviews the importance that we attach to the economic development of the Thames gateway in Kent and Essex. I asked the commission to consider the ways in which unitary authorities might benefit such development.

Many hon. Members have seen the important example of regeneration in the royal dockyard at Chatham. It is a vital site and yet, almost inconceivably, it is split between Gillingham and Rochester. I was brought up in that part of the country and, like others, I know that one cannot easily tell when one is in Rochester and when one is in Gillingham, but that development is an essential part of the regeneration of both. The commission concluded that the poor relations between the various local authorities could not be in the best interests of local people and that a single authority would have the capacity to overcome such difficulties and bring a common purpose to the area. I agree wholeheartedly.

The second area is Berkshire. Much is made of the fact that it is the only county council of an historic county that is being abolished as a result of the local government review. We are also told that this means the end of the royal county of Berkshire. I want to put an end to that claim immediately. This order means the end of Berkshire county council, but not of the royal county of Berkshire. After all, it is the county that is royal, not the county council. Berkshire itself is not touched. For example, there will still be a Lord Lieutenant of Berkshire, and I have no doubt that people who live in the county will refer to themselves as coming from Berkshire.

Some people protest that Berkshire county council has been picked out for special treatment. I can do no more than refer to the submission put to the commission in 1994 by the local authorities in Berkshire, including the county council. Berkshire county council was the only county council to press for its own abolition. The summary of that submission, which is supported by the county council, states:

"All councils, including the county council, recognise that unitary authorities are the best way of delivering services in Berkshire. The two-tier system has caused confusion since its introduction in 1974, and there is support for change within the community. Unitary authorities will be closer and more accountable to their communities."

I agree entirely.

What is more, if it was true in 1994 that unitary authorities would be best for service delivery, it must be true now. It is difficult to see what might have happened in those two years to make the county council think differently.

Mr. John Redwood (Wokingham): The current Berkshire county council and Wokingham district council are saying that considerable extra costs will be incurred if the reorganisation goes ahead. That is quite a change of position from the one to which my right hon. Friend referred two or three years ago. Can he offer me any reassurance that he will take a strong personal interest in controlling the reorganisation costs, because Berkshire ratepayers would not want money to be spent unnecessarily on what should be a move to increase efficiency rather than spending?

Mr. Gummer: I will certainly give my right hon. Friend that assurance. After all, it would be fair to say that the Liberals, in particular, in both the county and the district councils have the costs in their own hands. It would be possible for them to attempt to make what could be an uncostly operation very costly indeed—it would be in character. I hope that they will act out of character and do it in the way that their Tory predecessors would have done—with expedition and at little expense. I shall use the powers that I have to ensure that that happens.

Mr. David Rendel (Newbury): Will the Secretary of State confirm that the change in the expected cost of the transition in Berkshire has been based on figures given by the Under-Secretary of State for the Environment, the hon. Member for Croydon, Central (Sir P. Beresford), in a parliamentary answer last week, in which he indicated that the transitional costs were a great deal higher than they were expected to be when the provisional suggestion was made?

Mr. Gummer: Suggestions are based on the information that the local authorities concerned provide. That is the only way to make such assessments. Many local authorities appear to be making the change much more cheaply than even they had thought possible. I understand that the hon. Gentleman supports unitary status for Newbury, but I have not been able to discover whether he supports it for anywhere else in Berkshire. Many find such a degree of parochialism curious. The Opposition and the Government know well that Liberal policy stretches as far as the ward boundary. To find a policy that reaches over an entire constituency is itself a remarkable fact. We can hardly expect it to reach to every corner of Berkshire because no doubt Liberals have to be counted one by one. I understand that he is looking hard to find a way in which he can support unitary authority status for one bit, oppose it for another and be

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even-handed about it for a third. Those options will be chosen not on the merits of the case but on whether there is an extra vote to be found.

Sir Anthony Durant (Reading, West): On transitional costs, the new unitary authorities will sell county hall. Latest estimates value it at £25 million, although it was a monster in the first place.

Mr. Gummer: I try to be careful about judging the design of buildings. I would not like to reduce the value of county hall by describing it as a monster. I would believe the figure that my hon. Friend mentioned if it was set to be achieved by a local authority skilled in the ways of the world and able to sell effectively in the market, but I have to remember that we are again in the hands of the Liberals.

Mr. Andrew Miller (Ellesmere Port and Neston): I understand the right hon. Gentleman's vitriol towards the Liberal party, but why on earth does he countenance the continued partnership between the Liberal and Conservative parties in Cheshire? Would not the administration be more efficient and better serve the interests of local ratepayers if democracy prevailed and the largest party were given control?

Mr. Gummer: A representative of a party that is hand in glove with the Liberals from one end of the country to the other is in no position to lecture me on that. I suffer from a Lib-Lab pact in my constituency. It can make no decisions of benefit to the Suffolk Coastal area because the parties cannot agree on anything except delay. Sometimes, of course, that is an advantage. For the Labour party to tell me that there is something wrong with pacts with the Liberals beggars description. I have never had any close relationships with Liberals and I do not intend to start now.

I decided to modify the commission's recommendations in this case to make each of the six districts of Berkshire a unitary authority because I was not convinced that a merger between Bracknell Forest—I always think that that name has a wonderful Wildean touch—and Windsor and Maidenhead was necessary or desirable. It would be disruptive and increase the transitional costs. Equally important were the representations that I received after the commission's report was published, which persuaded me that a separate council for each district would better reflect community identities.

The fundamental contents of the 10 orders are all the same and they are the same as those of the orders that the House has considered in the past. They all provide for the setting up of unitary authorities from 1 April 1998 and, in all cases, there will be all-out elections for a new council in the May before reorganisation, that is, May 1997. In some cases, the orders provide for redrawing the ward boundaries. It is important that the unitary authorities start life with the most up-to-date electoral arrangements possible. However, the tight timetable for the reviews did not allow full consideration of the electoral arrangements of the unitary authorities which emerged from the further district structure reviews last year. It is for that reason that I have directed the commission to consider the warding of those areas. It is due to report its conclusions at the beginning of December. That view is widely supported on both sides of the House.

Mr. Peter L. Pike (Burnley): Will the Secretary of State make clear what will happen in the county council elections to be held next year in places which will no longer be in the county council area?

Mr. Gummer: We will make it exactly clear on a ward-by-ward basis, because that is what is necessary, in all the cases where changes will take place such as those in Shropshire, where The Wrekin will come out. It will be necessary to show how each of the councils elected will apply in the period that continues. We will make that clear to each of the counties so that there is no doubt in any circumstances.

Mr. Christopher Gill (Ludlow): My right hon. Friend will undoubtedly recall the representations that he has received from Shropshire county councillors about the election. May I seek his assurance that he will further investigate the matter with a view to making fairer and more equitable electoral arrangements for our county?

Mr. Gummer: I will always look again at these issues, but as I have explained to the county councillors who have approached me on the matter, I am bound by statute. It is most important that the Secretary of State is bound by statute, for the electoral arrangements are the basis for democracy. Therefore, it is important that the House should be assured that we proceed in a way which is manifestly fair. So I am glad that my hon. Friend has used the word "fair". The fact of the matter is that the course of action that has been represented to me as beneficial—however admirable it may be—is not open to me under the law. If it were, of course one would consider it in the non-partisan light that the House would expect. However, if one does not have the opportunity, it is difficult to take it further. I will look again at the matter in case there is any point that I have missed. If my hon. Friend wishes to pass any points to me, I shall be happy to consider them.

Mr. David Jamieson (Plymouth, Devonport): Will the Secretary of State give us the benefit of the thinking behind the electoral arrangements in Plymouth and Torbay? Elections will be held in 1997 and the councillors will take over their full duties in 1998, yet they will have only a two-year term of office because there will be further elections in 2000. There will then be an election in 2003 and every fourth year beyond that. So effectively the councillors will have only two years in office before 2000 yet in the future they will be elected every fourth year. What was the thinking behind that?

Mr. Gummer: We attempted to find a way to meld one set of elections in with other sets of elections. It is hard to do that in a way that will be seen not to be unfair to anyone. So far, I have not received any complaints about the package that has been put together, but if the hon. Gentleman feels that there is a better way of doing it, I shall be happy to listen to him. I am genuinely trying to do what is best in the circumstances. I am not trying to make anything more difficult. I am doing what the law tells me I can do and, within that, what seems to be most

convenient and, above all, most even-handed. If the hon. Gentleman wants to raise any points with me, I shall be open to it.

Mr. James Couchman (Gillingham): There is some suspicion that a certain amount of asset-stripping may take place between now and when the new unitary authorities take their powers in 1998. What powers will my right hon. Friend take to ensure that that does not happen? It is a particular worry in Gillingham, where there may be a great wastage of assets by the present Liberal Democrat majority.

Mr. Gummer: I am very conscious of this matter. For example, I am conscious of the promises that county councils made about subsidiarity when they seemed to be under threat. I am following up those promises to see whether they were carried through to both district and parish councils. I am also looking at whether district council promises to parish councils were fulfilled. In the same way, we shall look carefully at the way in which the assets are dealt with. Happily, we now have a better form than in the past. We have learnt from the past. I hope very much that we can protect my hon. Friend's constituents. I give a warning to those who think that it is a proper way to deal with public assets to spend them while they have them in their hands rather than conserving them to reduce the transitional costs so that there is more to give back to those who have paid for the assets—the council taxpayers.

Mr. Andrew Mackinlay (Thurrock): I am almost entirely at one with the hon. Member for Gillingham (Mr. Couchman) on the thrust of his point. There must be strict policing to ensure that, in my case, Essex county council does not covet plant and offices currently situated in Southend and Thurrock and bring them into the residual county's area. Such things belong to Thurrock and Southend—I am keen that there should be strict policing and control and that there should be no asset stripping from those two areas by the county council.

Mr. Gummer: I can assure the hon. Gentleman that my officials and Ministers—and Ministers do take the subject seriously—will consider those issues. They are not always quite as simple as they are made out to be. County council assets have to be within a district council area—that is one of the characteristics of a two-tier system. If those district councils become unitary authorities there may be some argument as to whether the asset is properly a district area facility that can be reasonably transferred or whether it is part of a wider network and can therefore be treated in a different way. There are difficulties and the matter needs to be carefully watched. I appreciate that it is a non-partisan concern and that we need to watch it on a non-partisan basis.

Mr. Peter Thurnham (Bolton, North-East): Will my right hon. Friend bear in mind the position in Lancashire? Whereas the good people of Blackburn and Blackpool can look forward to the benefits of unitary status while remaining in the county of Lancashire, the people of Bolton, who have enjoyed unitary status for 10 years, are still denied their rightful place in the county of Lancashire. The people of Bolton have been in Lancashire for 800 years—it is their overwhelming desire to be in Lancashire: over 99 per cent. were in favour of it according to the most recent opinion poll. Will my right hon. Friend ask the commission to look into restoring Bolton to its rightful place in the historic county of Lancashire?

Mr. Gummer: The advantages of moving back into the historic county of Lancashire are enormously increased if one is a unitary authority that can be in the county without being subject to that particular county council. It is for those who live in the county of Lancashire to consider whether they wanted such large sums of their money to be spent by Lancashire county council in a fruitless attempt to try to stop the people of Blackpool and Blackburn having the unitary authorities that they wanted.

I wonder whether it was worth spending any of that money; all that it has done is to ensure that the House has been unable to look at the issues as it should and the county council appeared to try to stop the House holding perfectly reasonable discussions and making a decision on the matter. I therefore have some sympathy with my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) and will look into the matter as he has asked me to do.

Sir Teddy Taylor (Southend, East): As one of the great admirers of my right hon. Friend's political skills, may I say that he was right to comment that Lib-Lab parties in local government have been all over the place on the subject of unitary authority status—indeed, they have been in Southend, where they were initially against it, then wanted to achieve it more quickly. For the rest of his speech, will my right hon. Friend concentrate on trying to produce unity in the House of Commons? The people of Southend, who are enthusiastic and very much looking forward to the proposals, would be further reassured if those plans were given a welcome and an endorsement from all the Opposition parties. With the great skills that he has, will my right hon. Friend concentrate on achieving unity of purpose in today's debate?

Mr. Gummer: My hon. Friend may have noticed that even when I have had to criticise the action of a particular county council, I have received wide support of the nodding variety from the Labour party.

Mr. Jack Straw (Blackburn): More than nodding.

Mr. Gummer: I know that a number of hon. Members have given public support. People sometimes confuse what is good for their county with what is to their personal advantage. I fear that that distinction has not always been properly made.

Mr. Frank Dobson (Holborn and St. Pancras): It would be awful if we got into party politics.

Mr. Gummer: It would indeed be awful when we do not need to, except possibly the odd word or two about those who cannot make up their minds.

The orders trigger the extra powers and duties that are placed on all the county and district councils involved in reorganisation. Those are the powers and duties to prepare for the change and to co-operate with each other. In most cases, the powers and duties are contained in separate general regulations, but in a few cases—Herefordshire

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and Gillingham and Rochester—they are included in the order because of the extra details needed when a completely new authority is being created.

Mr. John Butcher (Coventry, South–West): I am grateful to my right hon. Friend for giving way so often and so early in the debate.

Further to the point made by my hon. Friend the Member for Bolton, North–East (Mr. Thurnham), I declare a non-pecuniary interest as honorary president of the Association of British Counties, which is dedicated to restoring all the old counties for all purposes other than local government. Does my right hon. Friend share my enthusiasm for the news that I received from the Post Office this week that people who live in places like Birmingham, Stafford, Walsall and Coventry can now use in their addresses the ancient pre-1974 counties? Thus for postal purposes, Birmingham can become Warwickshire, Staffordshire can reclaim Walsall and Wolverhampton, and Coventry can use Warwickshire. Does not that help to resolve the question of old loyalties while having new unitary forms of local government? We have the best of both worlds.

Mr. Gummer: I very much agree with my hon. Friend. I have lived for some time in Fressingfield, Diss, Norfolk. Fressingfield used to be in Suffolk. Although we join the people of Norfolk when it is a question of arguing with Essex, over the Waveney border, the difference is considerable. I managed to get the Post Office to allow us to become Fressingfield, Eye, Suffolk, which cheered many except those who had bought an engraving block and therefore had to replace it. One or two people with expensive addresses were unhappy about the change, but, in general, people like to keep the ancient link.

The local government review has clearly been controversial in many places and has caused not a little antagonism. However, all the local authorities involved in the 10 orders must now put their differences behind them. Although, as the "Anglo-Saxon Chronicle" said, it may sometimes feel that one side or other has possession of the place of slaughter, triumphalism or underground resistance can only hold back the return to normality. Once the orders are made, the time for political posturing will be past. As my hon. Friend the Member for Southend, East (Sir T. Taylor) said, it will be time to work responsibly together so that the changes are implemented smoothly and quickly to the benefit of all who live and work in those places.

Local authorities have worked hard to make a success of the reorganisations that have already taken place or will take place next year. I do not often quote Councillor David Rogers, chairman of East Sussex county council's transition committee, but he is reported in the Association of County Councils' newsletter as follows:

> "We have started to explore together how we can make local government work better in the future than it has done in the past. This reorganisation represents a real opportunity for local government and our partners in this county to introduce positive changes and serve our local communities better."

I have no doubt that the same will be true for the reorganisations resulting from these 10 orders.

I intend that there will be no more structure reviews for some time. It is right that the unitary authorities should have time to bed down, and the county councils, which have been reduced in size, should have the opportunity to adjust to their new circumstances. All local government should now turn its attention from issues of structure to concentrate on improving services in both unitary and two-tier areas. It is always possible for local government to delegate many of its powers to smaller groups and ensure that the money goes with them. So even when there is no unitary authority, that sort of partnership is a way forward. Indeed, it might be the best way forward in many areas.

The commission's priority over the coming years will be to take forward its programme of periodic electoral reviews, a duty placed on it by the 1992 Act. Because the commission has been concentrating on structural issues, there is now a substantial backlog compared with the timetable set down in the Act, as well as significant electoral disparities in many local authorities.

Finally, I should like to refer briefly to the completed picture of the local government review, for which these 10 orders make up the final component. This is not meant as an apologia as I believe that it is clear that the local government review has resulted in, and will continue to lead to, a number of benefits for local government and its customers. In all, 46 unitary authorities will have emerged in shire England as a result of the review. By April 1998—when the last unitary authorities are in place—about 25 million people, or 54 per cent. of the population of England, will be served by unitary local government, including London and the metropolitan authorities.

The Government have never made any secret of their belief that unitary local government holds out many benefits. It does away with the confusion about which council does what which afflicts many people. Ending that confusion can only be good for the accountability of local authorities. Very often, people do not know who does the job, so when it is not done properly they blame someone else or they get so confused that they blame no one at all. This will make for more streamlined local government so that individual functions, such as social services and housing, can be delivered together where circumstances merit such an arrangement. It provides a wonderful opportunity for innovation across the board.

However, it is not only where the review has resulted in new structures that benefits can be obtained—even where there will be no change, there has been the opportunity for authorities to examine how they organise themselves and how they work with others so that they can deliver their services in the most effective and convenient way. During the review, many authorities made promises about the improvements that they would make. I have made it very clear that I expect the authorities to put the flesh on those bones and that I shall take a close interest in their progress. The Audit Commission is now following up the action being taken by authorities, both to put the promises into effect and, more generally, to improve working between the tiers.

I believe that the review has been a positive discipline and challenge, and that the outcome can only be an improvement in the quality of local government offered to the people of England. The picture will not be complete without the 19 unitary authorities that are under consideration today. These orders will bring the whole review to a proper conclusion and I therefore commend them to the House.

4.41 pm

Mr. Frank Dobson (Holborn and St. Pancras): My hon. Friend the Member for North-West Durham (Ms Armstrong) was supposed to lead for the Labour party in this debate but, sadly, her father—the right hon. Ernest Armstrong, a former Deputy Speaker of the House—is seriously ill in hospital and she has had to go to County Durham. I am sure that all hon. Members who know him will wish him well.

Today is American Independence day—and it is independence day for 19 more unitary authorities. Today, the proposition before us is to return duties and powers to authorities that should never have been taken away from them in the first place—they were taken away by a previous Conservative Government. In recent decades, the Conservative party has had some difficulty holding on to the title "Conservative", because it has been the party of constant reorganisation and then re-reorganisation—which is what we are getting today.

We welcome the changes, which are the product of a review that was originally set in train by the right hon. Member for Henley, now the Deputy Prime Minister. At the time, he said:

> "We know that most local authorities want unitary status and we believe that such status will provide a better structure for the future in most areas."—[*Official Report*, 20 January 1992; Vol. 232, c. 37.]

Things have not turned out as the right hon. Member for Henley predicted. Indeed, one of my predecessors pointed out in that debate that it looked as though the commission would roam around the countryside guided by the whim of the Secretary of State, that the recommendations would be subject to the whim of the Secretary of State and that they would leave local government in chaos—and so it has turned out.

In fairness to the Secretary of State, it was not entirely done at his whim—there seemed to be a large amount of whim by the former chairman of the Local Government Commission, Sir John Banham, which is one of the reasons why the Secretary of State and I got together in an unholy partnership to try to put it right again.

We now have 46 new unitary authorities—including Rutland, with a population of 33,000; but it does not include Northampton, with a population of 188,000, Norwich with 128,000, Ipswich with 114,000 or Gloucester and Exeter both with 105,000. It is a bit of a mess. The Secretary of State and I could claim—and we are seldom joined together in anything, other than acrimony—that the situation was improved by our joint effort to refer back some of the proposals to a new commission, led by Sir David Cooksey.

Today we have before us the original proposals from the Banham Local Government Commission—which were held back because parts of the proposals were being referred to the Cooksey commission—and the proposal for Berkshire, where progress was delayed by a legal challenge. This proposition, from the original Local Government Commission, is for independence for the following authorities: Plymouth, which has 256,000 people; Torbay, 123,000; Southend, 170,000; Nottingham, 282,000; Herefordshire, 162,000; West Berkshire, which may pose as Newbury from time to time, 142,000; Reading, 138,000; Slough, 105,000; Windsor and Maidenhead, 138,000; Bracknell Forest, 105,000; and Wokingham, 142,000. We are also dealing with the results of the reference back, which includes independence for Peterborough, with 159,000 people; Warrington, 187,000; Halton, 124,000; Thurrock, 131,000; Blackburn, 140,000; Blackpool, 154,000; Wrekin, 143,000; and Medway Towns—a huge new authority—242,000.

I hope that all hon. Members wish the new councils well and that they succeed and prosper. If we are reasonable people, we have to understand the disappointment and heartache that this involves for the county people—both members and staff—who have worked over the years to provide decent services all over the country. This is especially difficult for county people to cope with. For example, Berkshire disappears altogether; Lancashire, Cheshire and Devon will lose two major boroughs; and Shropshire, Hereford and Worcester will lose a large portion of their original county.

I hope that no one will feel that this is a condemnation of what the counties have done—times have changed and, therefore, the structure has to change. This is not necessarily all for the best—we live in a world where all decisions can be taken only on the balance of advantage. On balance, most hon. Members believe that these changes will be for the better. They will help to resolve some of the problems that exist at present, but they may create other problems and difficulties.

As the Secretary of State has said, this is no time for triumphalism by the districts or for a dog-in-the-manger attitude or a scorched-earth policy by the counties. We have to remember that the transitional period and what follows has to serve the interests of local people—their interests must be the top priority. I hope that there will be the fullest co-operation between the new authorities and the existing counties to the benefit of local people—and the Labour party will do whatever it can to ensure that that happens. Much agitation may have been caused in some areas—for example, Lancashire—but whether the campaign for or against was legitimate, it is finished. It must be finished and everyone must work together. In the areas for which the orders have already gone through, the new authorities are working well. I know that arrangements have been made by some of the beneficiaries of today's orders to learn from the experience of areas that are already a year or more ahead. We do not want people to have to reinvent the wheel.

The Government will have to make a contribution in the form of generous settlements to help the process of change. The Secretary of State should carefully consider the standard spending assessments for the successor authorities and try to ensure parity of treatment. In the most recent round of changes, an extraordinary situation arose. In the new districts, the council tax changes in May this year varied from increases of 10 per cent. in Hartlepool, 14 per cent. in Redcar in Cleveland, 13 per cent. in Bristol and 31 per cent. in north Lincolnshire, to reductions of 8 per cent. in north-west Somerset, 10 per cent. in Hove and nearly 16 per cent. in Middlesbrough. The general idea is that the council tax should reflect the responsibilities of the councils, but those increases or decreases did not reflect anything that the councils had done. They were entirely a product of Government decision making and were seen as grossly unfair by some of the authorities that did badly. I hope that the Secretary of State and his officials will try to ensure that that does not happen again.

We have heard various estimates from those in favour of change and those against. Those in favour of change have said that the ultimate cost will be lower and those against have said that the ultimate cost will be higher.

[Mr. Frank Dobson]

Frankly, I never believe any of the information that is wheeled out by various outfits in the City, because they will produce the figure that the county or the district employing them wants. We all know that. As far as I know, no organisation that has asked for City or accountants' advice about whether changes will be more expensive has ever been told that they will be cheaper, and vice versa. That shows what weight we can give to such estimates.

Common sense says, and anyone who believes himself to be a philosophical Conservative will surely accept, that—whatever the ultimate savings or costs—the process of change, or the transition, is always costly in both resources and the attention that the senior people involved have to pay to their job to try to provide services. It is difficult for people to do their basic jobs if those jobs will disappear or their organisation will be chopped in half. It is important that the Government ensure that the transition is cushioned by adequate funding, or it will be harmful to local people, local services and also to the staff who provide those services.

The bulk of staff in the districts and the counties are hard-working people who are motivated by the public service ethic, which is sometimes not given the value that it deserves. The staff are entitled to some security or compensation or both and I hope that the Government will provide that. We should thank all those who have provided services.

A curious electoral situation will prevail next May because of the delays. In the elections to the shadow councils for those unitary authorities, it is not intended that there should be any elections to the county council from the new districts, but there will be elections to the county council from all other parts of the county. Great care will have to be taken to ensure that any change—I do not necessarily mean a change of political control, but a change of personalities or an influx of people who have not been involved and are not familiar with the problems and relationships—does not damage the delivery of services.

I am sure that the whole House will wish the successor authorities well. I can tell people in those areas that the incoming Labour Government, which will be elected not long after the council elections, will enable and empower councils to provide the services that people want and will give councils a duty to promote the economic, social and environmental well-being of their areas and to provide best value for money. However people vote in the forthcoming elections, it is crucial that everybody who is elected and everybody who works for the new authorities—and for those authorities that feel bereft of the new districts—all remember that their crucial and only role is to serve the people of the area and not their own personal interests or the interests of the institutions that they hold dear.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Hon. Members should know that, although there is no 10-minute restriction on speeches, the debate must end at 7.10 pm. I appeal for short contributions.

4.55 pm

Mr. Paul Channon (Southend, West): I assure the House that I will be extremely brief. I am afraid that I will make an excessively dull speech, but I hope that the House will forgive me. It will be dull because I agree with what has already been said, and that is rare. I congratulate my right hon. Friend the Secretary of State, in particular, and I congratulate the hon. Member for Holborn and St. Pancras (Mr. Dobson) on about 99 per cent. of his speech. We need not worry about the hon. Gentleman's prophecies about the next election. I congratulate both my right hon. Friend and the hon. Gentleman on achieving, if not complete unanimity, a large measure of agreement across the House. My right hon. Friend will recall that the situation was different when the massive local government reorganisation took place some 20 years ago. The current changes have been handled with extreme skill.

It was a great mistake—in retrospect, and some of us thought so at the time—to abolish the county boroughs.

Mr. Mackinlay: Whose fault was it?

Mr. Channon: The hon. Gentleman is right to ask whose fault it was, but no political party in the House can look back at that episode with total happiness. We all got it wrong at various moments. In my constituency, the Liberals got it wrong about three times. They were against the reforms and then they wanted to change back to the county borough and the unitary authority. As soon as that happened, they were against it again, and now, I am reliably informed, they are in favour of a unitary authority and they criticise the Government for not having introduced it more quickly. That said, I must admit that the Conservative party's position has also been slightly difficult.

It was a great mistake to have abolished the county boroughs and I am glad that the unitary authorities—which are, in effect, county boroughs—have been brought back. I am also glad that the hon. Member for Holborn and St. Pancras said that we should thank the councillors and officials of the old authorities. Those in Essex did much to try to help Southend during the past 20 years. We are not disposed unfavourably towards them, but we are pleased that we will govern our affairs once more. I have had my differences with Essex county council in the past few years—even more so recently—and I do not agree with its social services policy. I do not agree with its education policy and people in Southend are seriously worried about some of its actions, but tonight is not the night to go into those matters in great detail.

I have never before agreed with the hon. Member for Holborn and St. Pancras so often. As he said, today is Independence day—

"High as the flag on the 4th of July!"

The change will be a wonderful moment for those middle-aged and older people who remember when Southend had a county borough before. They now look forward with optimism and hope to a unitary authority that will be able to run its own affairs in the interests of those living in the town and taking an active part in local life. I congratulate my right hon. Friend the Secretary of State and the Government and I congratulate the Opposition, too, on their virtually bipartisan support. This is an important day for Southend and I am happy that, once more, we shall have a unitary authority.

4.59 pm

Mr. Mike Hall (Warrington, South): It gives me great pleasure to speak in the debate in support of the structural change orders.

The order for the boroughs of Halton and Warrington affects my constituency. I am delighted with the recommendations, as I am a long-time supporter of unitary local government. In my maiden speech to the House on 6 May 1992, I said that I hoped to see unitary status for Halton and Warrington within the lifetime of this Parliament. That will happen this afternoon when the order is passed.

My support for unitary local government has been fostered over many years. I was first elected to my local council in 1979. At that time, Warrington borough council was Conservative-led and the then Conservative leader, Councillor John Walsh, was a strong advocate of unitary local government. When political control changed, the incoming Labour council adhered to that objective.

I am proud to tell the House that, when I was leader of Warrington borough council between 1985 and 1992, I vigorously pursued the aim of achieving unitary status for my authority. My good friend, Councillor John Gartside, who now leads Warrington borough council, has also pursued the goal of unitary status with single-minded determination and vision. My good friend, Councillor Dave Cargill, and his colleagues on Halton borough council have been tireless in their efforts to bring about local self-government for the people of Halton.

I strongly support unitary local government, because it strengthens the democratic process by bringing local government closer to the people. As we approach the new millennium, we must search for better ways of involving people in the decisions that affect the way in which society is run. I make no apologies for saying that democracy demands that we devolve power, responsibility and decision making from the centre to the smaller units of government. Power should be devolved from Europe down the line, past Whitehall and Westminster, to units of local government that are capable of effective decision making and service delivery. That important role for local government will be achieved through the creation of unitary local government. We are debating the practical application of devolution this afternoon.

Decisions about local government services and their delivery and management in Halton and Warrington should be made by councillors who are elected by, and are accountable to, their local communities. I would like to see an end to the two-tier system which the orders provide in favour of a single tier of local government. That would remove confusion and make councils responsible to the communities that they are elected to serve.

I passionately want to see local government for the people of Halton and Warrington provided by the people of Halton and Warrington. A classic example is the provision of social services and education. Those important local government services are delivered and managed locally and their democratic framework should be as close as possible to the people who use them. Unitary local government will achieve that aim.

Although we are approaching the point when the vision of unitary local government will become a reality in Halton and Warrington, the journey to that destination was not all plain sailing. The three main political parties fought the last general election on the promise to introduce unitary local government. That was a central part of my campaign and that of my Liberal Democrat and Conservative opponents at the last general election.

When the Government set up the local government review under the auspices of the Local Government Commission, chaired by Sir John Banham, I had high hopes that a unitary structure of local government would emerge throughout the United Kingdom. I was still more confident that the first review would recommend unitary status for both Halton and Warrington. Both authorities have concentrated areas of population and cover new town areas.

The Runcorn new town and Warrington new town developments have strongly influenced the shape and character of the two boroughs in my constituency. Both boroughs have strong community interests and a sense of place. The current levels of population and population growth show clearly that the boroughs are large enough to take full advantage of unitary status. The geographical location of the two boroughs in the northern part of the county adjacent to the metropolitan unitary authorities of Knowsley, St. Helens, Wigan, Manchester and Trafford is significant in terms of structural planning.

Cheshire county council is preparing to privatise waste disposal operations, which will cause major problems in Warrington and Halton. The council should wait until the orders are passed and we have unitary local government in the two boroughs; the parties could then discuss a way forward that is beneficial to all and that does not put Warrington and Halton in a difficult position in terms of waste disposal.

Halton borough council is different from Warrington, as it has high levels of socio-economic deprivation. It also suffers from a serious labour market imbalance and economic decline. Economic regeneration is the key to a more prosperous future for the borough. I am delighted that the chamber of trade and commerce in Halton and the private sector are behind Halton's move to achieve unitary status. That is an important coalition of the private and public sectors which are working together in the interests of communities in my constituency.

The economic base in Warrington has weathered the recession better than other parts of the north-west. That is due to the success of Warrington and Runcorn development corporation and the economic development activities of Warrington borough council. The challenge for Warrington under unitary authority status is to continue to promote economic development and to expand and diversify the borough's economic base.

A good example of Warrington's proactive association with the private sector is the Business to Business exhibition that is held every year. It is a major event which expands trading links from my local authority into the north-west. I look forward to the unitary authority's achieving great things in the future to enhance the economic base in my constituency.

There was a strong belief that unitary status was tailor-made for the two boroughs as it would reinforce and enhance their development and provide for an exciting and productive future. It was regrettable that the Banham commission failed to recognise the obvious advantages of unitary local government for Halton and Warrington and recommended the status quo.

[Mr. Mike Hall]

At this point, I must pay tribute to the Secretary of State for the Environment, to his right hon. Friend the Member for Skipton and Ripon (Mr. Curry), his hon. Friend the Member for Croydon, Central (Sir P. Beresford) and to my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). They determined that there should be a second review, which included Halton and Warrington, under the auspices of Sir David Cooksey. If it were not for the assistance of those on the two Front Benches, I am sure that the orders would not be before the House this afternoon. I thank both sides, on behalf of my local authorities, for their intervention.

It is fair to point out that the creation of unitary local authorities in Halton and in Warrington was not universally popular—far from it. It is a matter of public record that the two reviews conducted in Cheshire were not without their trials and tribulations. Cheshire county council fought tooth and nail against the proposal that Halton and Warrington receive unitary status. I shall not dwell on the council's discredited campaign to retain the two-tier system. However, I believe that the extraordinary amount of local taxpayers' money that it spent could and should have been used to improve service delivery.

One of the more bizarre episodes in the council's discredited campaign involved inviting so-called local opinion formers to a dinner held by the chair of the county council at a school in my constituency. The dinner was paid for with local taxpayers' money. I have written to Cheshire county council asking for a list of the people who were invited to the dinner, a list of those who attended and the cost of the dinner to county council tax payers. As Cheshire county council has a stated policy of

"supporting open government and greater accountability in accordance with the Freedom of Information Campaign's objectives",

one would expect my request to receive a positive response. I have written to Cheshire county council six times seeking that information. It has refused to respond on five occasions and my last letter remains unanswered. I do not know what the council has to hide, nor do I know why it has decided to shroud in secrecy a simple matter of who was invited to a dinner and how much it cost. However, it seems to me that the refusal to supply a Member of Parliament—and a Cheshire council tax payer—with information is the action of a remote, unaccountable and undemocratic organisation that is not prepared even to pay lip service to its own policy of open government.

Mr. Miller: Although my constituency of Ellesmere Port and Neston was not granted unitary authority status, we wish both Halton and Warrington well in their endeavours. I am sure that they will succeed. I hope that the Minister has listened carefully to my hon. Friend's remarks about a problem with which we are faced time and again when dealing with the county council. My hon. Friend referred to one particular issue, but there are others concerning social services and education. Will he comment on the difficulties that he has faced in those areas?

Mr. Hall: I largely agree with my hon. Friend. Suffice it to say that Cheshire county council's spending on special needs is the second lowest in the country. I hope that the two unitary authorities will spend more on that aspect of education.

I have criticised Cheshire county council—now I will praise it, because it has accepted the recommendations and has issued, with Halton and Warrington borough councils, a joint declaration of commitment to a smooth transition of county-run services and to continuing to provide high-quality, cost-effective services to the people of Cheshire before and after the unitary authorities begin operating. That development and the recommendations are welcomed by my hon. Friend the Member for Warrington, North (Mr. Hoyle) and my right hon. Friend the Member for Halton (Mr. Oakes). The other Cheshire districts have also accepted that the two local authorities in the north of the county should have unitary status, and they are working together to bring that about.

As we come to the end of this long and winding road, the challenge for Halton and Warrington councils is to meet their promise to the people of those boroughs about the benefits of unitary local government—a concept that I support because I believe in the principles of democracy. Devolution is fundamental to strengthening our democratic processes. Halton and Warrington borough councils should not rest on their laurels on achieving unitary status but must devolve power within their communities. The local government review has aroused in both boroughs tensions and fears that must be addressed speedily and positively. Parish areas south of the Manchester ship canal in Warrington must be included at an early stage of planning for unitary status. Those areas have an important role to play in Warrington's joint future and their inclusion is essential if the best possible future for the borough is to be achieved.

One gesture that the council's ruling Labour group could make in that respect is to offer mayoralty to the opposition groups, which would cost nothing but go a long way towards building bridges in the whole borough—a gesture of political reconciliation which I strongly commend to my local authority.

I look forward to the elections to the shadow authority next May and to the implementation of the unitary authorities on 1 April 1998, and I hope that the Secretary of State will ensure that all three reorganising councils have sufficient resources to enable them to deliver high-quality local government. I thank all the organisations that have supported the campaign in Warrington and Halton, and I reiterate that both councils must provide greater accountability, improve access to local services, and provide more convenient local government that responds better to local needs. Those are the challenges facing my two local authorities.

5.12 pm

Sir Anthony Durant (Reading, West): I am grateful for the opportunity to speak in this debate, on behalf of Conservative Members who represent Berkshire constituencies. Two of them—my hon. Friends the Members for Slough (Mr. Watts) and for East Berkshire (Mr. MacKay)—are Ministers, so are unable to contribute. My hon. Friend the Member for Windsor and Maidenhead (Mr. Trend) is heavily engaged in other duties, but my right hon. Friend the Member for Wokingham (Mr. Redwood) and my hon. Friend the Member for Reading, East (Sir G. Vaughan) are in their places.

I do not know the position of the hon. Member for Newbury (Mr. Rendel). I understand that he favours the unitary authority for his constituency, but I am not sure of his attitude towards the county.

I strongly support the proposals before the House. I have always been in favour of unitary authorities, because I started my political life with one. Woking was a big urban district council and we had a lot more power in those days. I was chairman of its education committee, which gave powers to the local districts, and learned a lot from that experience. Reading was an extremely good county borough.

I support the view of my right hon. Friend the Member for Southend, West (Mr. Channon) that those of us with county boroughs in their constituencies much regretted their abolition. They provided a good service and offered high standards, and it was a pity that they disappeared. I am delighted that they are to return. People need to be near the services that they use. They want to know who is responsible for repairing a hole in the road or for allocating school places. At present, the public are confused.

I thank all those people who have worked in my county council—particularly the county councillors themselves. They have a good record and have worked extremely hard. I agree with my right hon. Friend the Secretary of State that Berkshire will not lose its identity, and it will retain its lord lieutenant. However, Berkshire lost a lot of the county some time ago, including Abingdon. The white horse, which was once the symbol of Berkshire, was also lost in a previous reorganisation. I fought against a white horse candidate in one election, who wanted to return the white horse to Berkshire. He won about 300 votes and it was interesting to have him in the campaign.

A MORI poll found that only 11 per cent. of the people of Berkshire felt that they had any strong connection with the county, which is pretty low. As my right hon. Friend the Secretary of State said, the county held some odd views. Initially, it joined the district in saying, "Yes, we want unitary authorities—so we will abolish ourselves." It subsequently took a U-turn, but no one has got to the bottom of the reason for that change of mind. Then it started a campaign and wasted a great deal of public money—all of it from council tax payers—going to court, the High Court and the House of Lords. All the letters that I have received about retaining the county council have arrived since that campaign started.

I made some disparaging remarks about county hall. Perhaps I may withdraw them and make it plain that I was expressing a personal view. It did win an architectural prize, which surprised me at the time. I was speaking for myself, not for everybody else in the county, when I said that the county hall was monstrous.

I accept that costs—there will be some—are an issue, but as the hon. Member for Holborn and St. Pancras (Mr. Dobson) said, one can produce any figures one wants, whatever the starting point. It is up to the unitary authorities to control their costs. It is not a matter of their saying, "We cannot do anything. We need a lot more money." The authorities already run many of the services, so I believe that they can keep costs well under control.

Sir Peter Hordern (Horsham): Is my hon. Friend aware that, only today, Reading has confirmed that after the transitional period it expects to run the area more economically than at present?

Sir Anthony Durant: I have received the same communication from Reading district council, and we shall keep it to that pledge.

Concern has been expressed about voluntary and similar bodies. Berkshire districts have established liaison committees in advance of reorganisation, to cover planning and technical services, social services, the voluntary sector, community cultural services, emergency planning, trading standards, chief executives, finance officers, information technology, land and property, personnel and communications. The sad thing is that the county was originally involved in those liaison committees but withdrew when it started its campaign, which was equally a great pity.

One argument made in the county council's campaign was that the people of Berkshire had not been consulted. A letter from Purley parish council in my constituency states:

> "Only an authority that is totally out of touch with the people and unaware of what is going on could make such a statement. The public has been consulted extremely adequately . . . The Parish Council has no wish for its 'Local Government' to be run by a body that up until the last minute was saying it did not wish to put itself forward as a Unitary Authority, and was proposing its own dissolution. At the eleventh hour they changed their minds, and would not appear to be intent on their survival. This indecisive stance hardly inspires confidence for the future."

That expresses the irritation of one of my parish councils.

Unitary authorities are a sensible solution, and I believe that those in Berkshire will be successful. They already have a good history, and I wish the order well.

5.19 pm

Mr. David Rendel (Newbury): I regret that some of the speeches made so far in the debate seem to have concentrated on whether unitary authorities are a good thing as an issue of principle. We have had that debate on various occasions in the past; surely it is not the debate that we should be having today. This debate is about 10 orders that affect 10 areas, and whether they meet the requirements of those areas or whether they should be amended in some way and sent back for further consideration. That is what we should be dealing with and, at least for a large part of my speech, I intend to deal with those specific problems.

I realise that the Government and the Labour party are under the impression that they have effectively wrapped up the local government review and that there is little more to discuss. That is a pity, because there are some important points to be made. The fact that the Government and the official Opposition were so eager for 10 of these orders to be swept through the House in only three hours today—originally it was to have happened a week ago—is evidence enough of the low priority that both the Conservative party and the Labour party give local government.

We have three hours, which is only 18 minutes for each of 10 counties.

Mr. Rupert Allason (Torbay): Will the hon. Gentleman give way?

Mr. Rendel: Let me get on a bit with my speech; I have only started.

Mr. Allason: Will the hon. Gentleman give way?

Mr. Rendel: No; I am going on with my speech.

That would never be enough time for all the hon. Members whose local authorities are affected to have their say. I understand that many of them do not wish to have a say. That is up to them. I am surprised, however, that sufficient time was not allowed for all hon. Members to have a say if they so wished.

We have 18 minutes to decide on the education of thousands of children. We have 18 minutes to decide about the care of the elderly and about the implications for fire services, the police and all the other local services that will be affected by these orders. We have 18 minutes for, perhaps on average, the eight hon. Members in each of those counties, not including the time required by the Minister to make his proposals and for the Opposition spokespersons to reply. That compares with the full one and a half hours of debate that was allowed for each of the first round of counties that were dealt with two years ago.

Mr. Gummer: I wonder whether the hon. Gentleman recalls that he was given 30 minutes in a meeting with my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration to tell us whether he was in favour of or against unitary authorities for the rest of Berkshire. During all that time, he refused to answer a direct question, which I shall ask him again now: is he or is he not in favour of unitary status for the other districts of Berkshire, or does he have a view only on Newbury?

Mr. Rendel: The Secretary of State is anticipating my speech; I will be dealing with Berkshire in a few moments. I shall of course let him know my views, because he has asked for them. They are in my speech, and I shall provide that information shortly.

Apparently, the Liberal Democrats take local government more seriously than do the Tory party and the Labour party. I make no apology if the Labour party and the Tory party now feel that we are spoiling their party.

The local government review has been a shambles from beginning to end, and today's orders demonstrate how arbitrary the process has been. Some areas have been selected for unitary status against the wishes of the local people, who want to maintain the present structure. Other areas—[HON. MEMBERS: "Which?"] I shall go through individual areas shortly. Other areas have been left alone, despite local people's clear wish for change.

Running roughshod over local people's views when making what amounts to constitutional change is a recipe for disaster. The main reason for our having yet another review of local government structures is that ignoring local people's wishes did not work in Avon, in Cleveland or in Humberside in the 1970s. It will not work any better now.

Mr. Allason: As the hon. Gentleman is so determined to demonstrate the commitment of the Liberals to local government, would he like to tell the House where is the rest of his party? He has been the sole Liberal Democrat in the Chamber for most of this debate, although now there are two.

Hon. Members: Three.

Mr. Rendel: The hon. Gentleman may like to comment on the proportion of hon. Members in my party who are in the Chamber as compared with the proportion of hon. Members in his party who are here.

Because profound changes are being made to the structure of local democracy, and because of the manner in which it is being done, at the very least the Government should have listened to the express views of the general public, but they simply have not listened. They have conducted a prejudiced and sometimes—as has been proved—illegal review.

The Labour party, because of its desire to boost the power of its urban fiefdoms, has colluded with the Government at every step of the way—not, I hasten to add, in an open and co-operative consultation, but behind closed doors and in smoke-filled rooms. Recently, some Labour Members have shown their distaste for Labour Front Benchers—*[Interruption.]*

Mr. Peter Luff (Worcester): On a point of order, Mr. Deputy Speaker. I wonder whether you could remind the House whether it is in order for hon. Members to read their speeches?

Mr. Deputy Speaker: It is not in order to read speeches, but it is in order to use notes copiously.

Mr. Rendel: I am sure that, if the hon. Member for Worcester (Mr. Luff) would like to see the notes that I am working from and compare them with *Hansard*, he would find that there are many differences.

Some Labour Members have shown their distaste for Labour Front Benchers bending towards the Conservative agenda in recent days. In this case, of course, the Labour Opposition and the Conservative Government have plotted and schemed together in the most cosy fashion, and yet we have heard nothing from those Labour dissenters. I wonder why not? Surely they have not lost their voices already—or perhaps the Hartlepool cat has cut out their tongues?

The underlying problem that has bedeviled the review from its inception is that no real thought was given to the fundamental role and purpose of local government. That was the problem. How can a serious review of the structure of a tier of local government be held without first deciding what that level should be doing and what its powers and responsibilities should be? The issues have simply not been addressed in this review. Because of that, judging which orders should be supported, which should be opposed and which are so controversial that they should be forced to a Division today has been made much more difficult.

Even determining what local people want has not been an entirely straightforward matter. Much of the public consultation that has taken place occurred some time ago—much of it as long ago as 1994. Even then, there was often a stark difference between the direct responses given to the commission and the results of MORI opinion poll testing.

Another important consideration in all these matters is the cost of any change. Previous examples of restructuring have shown that costs always seem to be higher than is expected, which must be a further argument against change where it is not properly supported. That is true not only of the changes implemented in the 1970s and 1980s, but—as the right hon. Member for Wokingham (Mr. Redwood) has already pointed out—of the latest round of proposed unitary changes and of the changes that have already been made in this structure review. The case must therefore be very strong for consulting local people again—now that we have the Government's final proposals—in those areas that were originally considered under the first review.

It is a shame that the Government have not felt it necessary to carry out that further consultation. We must make do with the information at our disposal—the analysis of the direct responses by National Opinion Polls, the MORI polls and the range of submissions to our offices by local people and by their elected representatives. On that basis, I shall now make some comments on each of the orders before us. The orders for Hereford and Worcester, for Devon, for Essex and for Lancashire are the least controversial.

Mr. Luff: Will the hon. Gentleman apologise for misleading listeners to BBC radio in Hereford and Worcester last week, when he told them that the local Liberal party had called for unitary authorities in Worcestershire, whereas in fact they fought the idea tooth and nail while the Conservatives, sadly unsuccessfully, argued for them?

Mr. Rendel: I am not sure what the hon. Gentleman is referring to. I would certainly like to apologise if I had said anything wrong on the radio, but I am not aware of having done so, and I would require further particulars first.

As I said, the orders for Hereford and Worcester, for Devon, for Essex and for Lancashire are the least controversial. There is a strong case for separating Herefordshire from Worcestershire. Such a move would be in line with the history of each area, and clearly has the support of local people. The option of no change was not included in the direct consultation that took place at the beginning of the review, but 92 per cent. of respondents supported an option that included a unitary Hereford. The MORI poll found that supporters of a unitary option outnumbered the proponents of the status quo by about two to one.

In Devon, the case for unitary authorities for Plymouth and for Torbay has always received strong support.

Mr. Allason: Then why is the hon. Gentleman proposing to vote against it?

Mr. Rendel: I did not say that I would vote against it.

A unitary Plymouth has near universal support throughout Devon. Plymouth is a large city, with problems and challenges different from those in the rest of the county. However, there must be one concern—that at least as much support was shown for a unitary authority in Exeter as in Torbay.

Mr. Allason: Nonsense.

Mr. Rendel: The people of Torbay have their wish, and the people of Exeter do not.

Mr. Allason: Will the hon. Gentleman give way?

Mr. Rendel: Yes, but this is the last time that I shall give way to the hon. Gentleman.

Mr. Allason: May I remind the hon. Gentleman—remind him, that is, if he has the slightest knowledge of Devon—that the Torbay consultation had the second highest percentage return in the country? In the first consultation exercise, Exeter demonstrated complete apathy, and no interest whatever in unitary status. Only the second time round was there some local feeling in favour of unitary status. As a result, there was a further review, which decided, rightly, that there was not sufficient local support for unitary status. The fact that the hon. Gentleman puts Torbay and Exeter in the same bag demonstrates his complete ignorance of everything west of Bristol.

Mr. Rendel: I understand that the concern of the Local Government Commission is that Exeter is an important county centre—certainly that is a reasonable argument—but similar arguments could have been, and in some cases were, advanced for other areas, such as Leicester, Stoke-on-Trent and several other cities.

The somewhat arbitrary nature of the review process, and the failure to match the proposals to the public will, is clearly highlighted in the Devon order. The Government have also ignored the fears of the people of South Hams that they will be squeezed between the two unitary authorities of Torbay and Plymouth, which lie on either side of it.

The Essex proposals that I want to discuss relate mainly to Thurrock and Southend. In the direct responses—sadly, those too are old data from 1994—the public in Thurrock supported a unitary authority, not by a huge majority, but by 41 per cent. as opposed to 35 per cent. In Southend, there was a higher level of support for a unitary authority—61 per cent. to 36 per cent. The MORI poll in Thurrock found a small majority in favour—43 per cent. to 39 per cent. That may not be especially significant, but in Southend it found a rather bigger majority—41 per cent. to 24 per cent.—in favour of at least some modified form of two-tier system plus a unitary Southend.

In the rest of the county, support was not good, with 33 per cent., as opposed to 19 per cent., favouring the status quo. I have two further points to make about the order for Essex, because the Government have missed two opportunities. In Southend, the new unitary authority has only 39 councillors, and it is clear that local feeling is that that is not enough to cover all the new functions.

The second point is about Billericay, which has not been formed into a new joint authority with Brentwood, although there is considerable local support for that idea. That is another missed opportunity, which the Government would have done well to seize.

The plans for Berkshire are a tragedy, because there was a really good solution for the county, which was proposed at an early stage and widely supported—by the county council as much as by anybody else, as has already

[Mr. Rendel]

been said. That solution would have been supported not only by the county but by all the districts and by the vast majority of the people of Berkshire.

The solution would have been to create four unitary authorities, one each for the districts of Newbury, Slough and Reading, and another to cover the rest of the area. It would have been widely supported, and to my mind was much the best solution. Unfortunately, at that point, the right hon. Member for Wokingham put his oar in and started to insist on a separate unitary authority for Wokingham—an idea that even the recently elected district council there, which is more sensible, has now rejected.

First we moved to five unitary authorities for Berkshire, then, finally, the Secretary of State decided that we should go for all six, and turn all the current district council areas into unitary authorities. That solution has never been put out to proper public consultation. It was never part of the original consultation process.

The direct responses to the original proposals showed little support for the idea of no change. There was considerable support for unitary authorities in Berkshire, and I am sure that there still is. When the MORI poll was taken, there was still strong support for the Newbury area, in particular, to become a unitary authority, and considerable support, although rather less than in Newbury, in some other parts of Berkshire.

The whole thing has become a dreadful mess. For Reading, Slough and Newbury, the solution is much the same as it was always intended to be, apart from minor changes to some of the boundaries. I am sure that we all wish to support those new unitary authorities, but the mess that has been made of the rest of Berkshire as a result of the intervention of some of the Conservative Members involved cannot be supported by the House.

Mr. Gummer: Will the hon. Gentleman explain why it is such a mess to have a unitary authority in Wokingham, but it is not a mess to have a unitary authority in Newbury? If the arrangement is so clearly a mess, will he explain why, during the 30 minutes that he spent with my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration, although he was invited every two minutes or so to tell us about it, he did not do so, but has left it until now to come and tell us about it? Why has he been so slow, so trappist, in his views on Berkshire, when he is so ready to judge everywhere else in the country, which he has not visited?

Mr. Rendel: I am delighted to reply to the Secretary of State. On that occasion, I was part of a delegation from the local area and, as Newbury's Member of Parliament, I had come to talk about what should be done for Newbury. That is why I responded as I did.

Mr. Gummer: Why is it a mess to have a single unitary authority for Wokingham, which has 150,000 people, but not a mess to have one for Newbury, which has 141,000 people? Why, when the councillors who came with the hon. Gentleman to the meeting about Newbury urged him to tell my right hon. Friend about his views on the rest of the county, did he refuse to do what they wanted? In the end, they were almost as bemused as my right hon. Friend.

Mr. Rendel: I find it quite extraordinary that the Secretary of State should regard the number of people in a particular unitary authority as the relevant criterion, as I understand that a unitary authority of only 30,000 was recently created—very much smaller than Newbury or Wokingham. The point is not the number of people in the area, but whether the area hangs together as a sensible, viable unitary authority area. That is the question to which we must respond. It is quite clear that, whereas Newbury feels strongly that it is part of a whole, the same is not true of Wokingham, which contains large parts of what in effect are the suburbs of Reading, as well as areas that are much more countrified.

Mr. Redwood: I thought that we might hear a fuller explanation of the hon. Gentleman's views on Berkshire, but I see that he does not have any formed views on Berkshire even to this day.

Why does the hon. Gentleman think that Wokingham and Bracknell, with Windsor and Maidenhead, would make a single area that wanted to be governed together? I can tell him that my constituents and those of my hon. Friends in neighbouring constituencies know that that is not the view of our electorate, and we have represented their views.

Mr. Rendel: I am delighted to hear that that is the right hon. Gentleman's view of what his electorate thinks, but he may take a different view when they begin to turn against him, as I am sure they rapidly will if the proposal goes ahead at his behest.

What is wanted in Nottingham—this is the difficulty with this order—is not what is wanted in the rest of the county, which is one of the great problems with the Government's cherry picking solution to the local government review. Nottingham's direct responses to the commission showed that there was no clear call for unitaries, but there was strong support for no change. The MORI opinion poll showed that, in the county as a whole, 20 per cent. supported the unitary city, 35 per cent. supported no change and 45 per cent. supported something else. In the city itself, there was marginal support for a unitary authority to be set up—24 per cent. as against 21 per cent. for no change—but 55 per cent. supported something else. It is significant that, in this case, the further we have gone, and the more time we have taken over the review, the more people seem to have turned against the solution currently proposed by the Government.

For Cambridgeshire, the direct responses from Peterborough showed that only 19 per cent. were in favour of a unitary city, while 71 per cent. were in favour of no change. Even the MORI opinion poll showed that, in the city of Peterborough, only some 40 per cent. were in favour of a unitary city and 40 per cent. were against it, while in the rest of the county it was 40 per cent. to 30 per cent. in favour of the status quo. It is true to say, however, that it would be a viable unitary authority—it hangs together in a way in which the unitary authority of Wokingham does not—and it is not central to Cambridgeshire, which is a further important point.

Indeed, Peterborough city council fully supports this order, so there are some good reasons for allowing it to go through.

In Cheshire, the direct responses were interesting. Organisations in Halton were some 2:1 in favour of a unitary Halton, but organisations in Warrington were 4:3 against. In the rest of the county, some 7:1 responses from organisations were against—a much stronger feeling. Direct responses from the public in Halton were 2:1 against. In Warrington, they were 3:1 against—getting stronger. In the rest of the county, 95 per cent. were against. The MORI opinion poll shows that, in Halton, there was marginal support for the unitary authority—39 per cent. to 34 per cent. In Warrington, people were against it by a similar majority—41 per cent. to 33 per cent. In the rest of the county, they were 2:1 against.

Sir Gerard Vaughan (Reading, East): On a point of order, Mr. Deputy Speaker. When a number of hon. Members who wish to speak have been told that they cannot be included because so many hon. Members have already asked to speak, is it in order for the hon. Member for Newbury (Mr. Rendel) to go on and on, covering the whole country in this rather tedious and irrelevant way?

Mr. Deputy Speaker: The hon. Gentleman has been in order so far.

Mr. Rendel: I fear that the hon. Gentleman missed what I said on that very point at the start of my speech: three hours is not sufficient time for adequate debate. If he wished for more, he could have asked for more. *[Interruption.]*

Mr. Deputy Speaker: Order. Tedious repetition is not in order.

Mr. Rendel: I am not quite clear what that remark refers to.

In Cheshire, there is clearly no real support for the Government's proposals, and they should therefore be turned down by the House.

Mr. Miller: Is the hon. Gentleman aware that, in Cheshire, the Liberal Democrats were party to the campaign run by the county council, to which my hon. Friend the Member for Warrington, South (Mr. Hall) referred, at extraordinary cost to the county ratepayer? How does he justify that expenditure? It makes Lancashire look quite small as far as I am concerned.

Mr. Rendel: If there were not so many interventions, I might be able to finish my speech rather sooner and thus help the hon. Member for Reading, East (Sir G. Vaughan).

A number of counties and district authorities throughout the country have felt that, in the best interests of their council tax payers, they should put their point of view as forcefully as they can to encourage a decision that they consider right for their electorates.

Mr. Hall: Will the hon. Gentleman give way?

Mr. Rendel: One last time, but then I really must get on.

Mr. Hall: Perhaps the hon. Gentleman will explain why the controlling group—Tory and Liberal—on Cheshire county council now supports the orders before us, yet the hon. Gentleman is trying to advise the House to vote against them.

Mr. Rendel: I do not necessarily agree with everything that the Tories or the Liberal Democrats say in different parts of the county about the local government review—*[Interruption.]*—because all parties are split on this issue. The Labour party is split. The Tory party is split, and, to some extent, our party is also split. *[Interruption.]* It is not a party political matter; it is a matter for the House to decide, in the best interests of the people of this country. The hon. Gentleman should know that.

Shropshire is a particularly interesting case, because one Conservative Member of Parliament is quite openly against the Government's proposals and has put that on the record. The direct responses from organisations and the public in The Wrekin—not in Shropshire as a whole—were marginally in favour of The Wrekin becoming a unitary authority, but in the rest of the county the figures were some 20:1 against. I notice that the Secretary of State keeps harping on about MORI polls as though they were unimportant. If they are so unimportant, why did he ensure that they were taken in each county?

Mr. Bruce Grocott (The Wrekin): The hon. Gentleman really must give way.

Mr. Rendel: I am sorry. I have given way enough.

As far as The Wrekin is concerned, the MORI polls—the House will be pleased to learn—showed that people were in favour, by 45 per cent. to 38 per cent. That is not a huge amount; it is a marginal vote in favour but, once again, in the rest of the county, we see that this proposal is widely disliked.

Mr. Grocott: Will the hon. Gentleman give way on The Wrekin?

Mr. Rendel: Yes.

Mr. Grocott: Having confirmed that the MORI poll in The Wrekin showed that the majority of those who responded were in favour of unitary local government for The Wrekin, will he explain whether is it Liberal policy to support the minority position? We know that the Liberals support an electoral system that would give massively disproportionate power to minorities, but it is their local government policy to listen to the minority and impose a local government structure selected by the minority?

Mr. Rendel: As the hon. Gentleman ought to have realised, in these matters there are always two types of opinion to listen to. One is the opinion from within the area concerned and the other is the opinion of people who live in the rest of the county who are equally affected. If their opinions are to be overridden as a result of an hon. Member's opinion, as we have just heard, taking into account only the district authority that is to be made into a unitary authority, frankly it would not be democratic. It is clear that the effect on the rest of Shropshire will be so damaging that the unitary authority order should not go through.

[Mr. Rendel]

I turn finally to Kent. [HON. MEMBERS: "Hear, hear."] The direct responses in Kent showed an enormous abhorrence for what was going on. In Gillingham, just 5 per cent. were in favour, and 76 per cent. wanted no change. In Rochester, the number of those in favour was as high as 7 per cent., but 69 per cent. were in favour of no change. The MORI opinion polls showed that, in Gillingham, 63 per cent. and, in Rochester, 53 per cent. wanted no change. In both areas, a mere 30 per cent. of people were in favour of the Government's proposals. It would be absurd to go ahead with such an order when there is such a huge volume of local opinion against what the Government are proposing.

Finally, I shall return to one or two more general points about the 10 orders. In his response to a statement by the Secretary of State for the Environment in March last year, the hon. Member for Holborn and St. Pancras (Mr. Dobson) said:

> "On behalf of the Labour party, I welcome much of the statement, and thank the Secretary of State for the discussions which preceded it. The overall effect of what he has announced should deliver much of what we have been calling for."—[*Official Report*, 2 March 1995; Vol. 255, c. 1185.]

It has been clear throughout the second tranche of the review that we are facing a Lab-Con pact between the Labour and Conservative parties, which has been stitched up in a back room without anyone else being allowed to have a say. That important point has to be brought out now.

Mr. Dobson: Does the hon. Gentleman accept that, first, there was nothing secret? Of necessity, the list that was put back before the Local Government Commission was made public. People discussed it, made representations about it, and it was changed as a result of those representations. Secondly, does he recognise that if the Secretary of State and I had not got together, quite a few authorities that are gaining independence as a result of the orders would not have done so? Since the vast majority of people in those areas and their councils want independence, is it not about time that he shut up and let a few hon. Members who represent those areas speak up for them?

Mr. Rendel: It is true that, in some of the areas, there is local support for the proposals, but in other areas, as I have clearly demonstrated, there is no such local support. What is important about my speech is that, sadly, my party is the only one in the House that is prepared to stand up against the Lab-Con pact, which is destroying local government in certain parts of our country.

Mr. Gummer: May I remind the hon. Gentleman that I asked him whether he would explain to my right hon. Friend the Minister his views merely on Berkshire. He could not give any views on Berkshire. A pact with the Liberal party was impossible because it did not know where it was going on Berkshire. He complains that he is not listened to, but when he was asked for his opinion, he did not have one. When the rest of the Liberals were asked for their opinions, they had so many that one could not agree with them on any of them. The only thing that his speech has proved is that if one cannot vote Conservative, for God's sake one should not vote Liberal.

Mr. Rendel *rose—[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Rendel: You made a remark, Mr. Deputy Speaker, about pointless repetition. I assume that you were referring to the Secretary of State.

Mr. Deputy Speaker: Order. I regret to say that I was referring to the hon. Gentleman, and very specifically at that point.

Mr. Rendel: In local government, as in so many other areas nowadays, what is emerging is not so much new Labour but new Tories. The slogan that the British people should fear is not "New Labour, New Danger", but "Old Tories, Old Danger; New Tories, New Danger". The motive shared by the Labour and Conservative parties is clear for all to see. All they are interested in is dividing the country into what they expect to be one-party fiefdoms—towns and cities set up as unitaries to be controlled by Labour, and the surrounding shire counties to be controlled by the Conservatives. In each they hope that any serious opposition from their traditional opponents will fade.

In fact, Labour and the Conservatives are both making a terrible mistake. They have failed to understand, as have so many in the media, that the traditional division of local authorities between the Tory and Labour parties is no more. Although they are splitting the country into areas that they think are natural Tory and Labour areas, in practice they are simply playing into our hands. What will happen is this: in the new town and city unitaries, the Liberal Democrats, as in so many areas already, will be the only opposition to Labour. We shall be able to concentrate our fire on one front instead of two.

Similarly, in the surrounding shire areas, the Liberal Democrats will be, as so often we are already, the only opponents to the Tories. There, too, we shall be able to concentrate our fire in one direction. In an attempt to improve their own electoral fortunes by carving out local authorities where they feel that they can guarantee to retain control, the Labour and Conservative parties are, in practice, playing into our hands. Their gerrymandering will be to our benefit.

The review is finally coming to a close, which will be a great relief to all those involved in local government. Perhaps now, all local authorities can get on with the business of providing high-quality, value-for-money services, which, after all, is what they are there for. Perhaps now, local authorities can set about rebuilding staff morale, which has been shattered by year after year of uncertainty—sadly nowhere more so than in Berkshire.

Although the end of the review is a relief, it leaves all those who are concerned for local democracy with a profound sense of disappointment. Local democracy needs revitalising and rebuilding. Imaginative proposals for structural change and the devolution of power will, of course, feature in such a process, but the cause has been greatly damaged by the review, which was prejudicial and pursued ideological ends towards limited local government.

The task of making positive changes, improvements and enhancements to local government has been made much more difficult. All future discussion of how such

structures should be matched to the responsibilities, duties and powers of local authorities will be limited by the bad experience of the review. It leaves a legacy of which the Government should be ashamed. They have set back the cause of local democracy by decades. A number of the orders should certainly be opposed, and I shall be calling on the House to oppose them. I hope that not only the Liberal Democrats support the cause of local democracy in this House.

5.58 pm

Mr. Peter Temple-Morris (Leominster): In all my 22 years in the House, I have never heard a speech quite like that of the hon. Member for Newbury (Mr. Rendel). The House will be relieved to know that I will not trudge relentlessly around the countryside into areas that I do or do not know, making comments that put up hackles in virtually every part of the House. In his peroration—when it finally came—the hon. Gentleman threatened me and my local government colleagues with "concentrated fire", but his speech was an advertisement for the sort of concentrated fire that we can expect. He may regard himself as some kind of weapon of war, but he has a wonderful facility for self-detonation.

In comparison, I wish to pay a compliment to my right hon. Friend the Secretary of State. I and my hon. Friend the Member for Hereford (Sir C. Shepherd) have been pursuing him on this matter for about a year, and he has always been kind and considerate in his responses. I congratulate him on the orders, because he has had to deal with all the uncertainty that existed locally. In reverting finally to the speech of the hon. Member for Newbury, let me say that we saw a method of attacking the political enemy in the principal speech, and subsequent intervention, of my right hon. Friend the Secretary of State that brought smiles to every face—bar one hon. Member, for whom it was too much of an effort to smile. My right hon. Friend showed an elegance of touch that is all too lacking in the House, and I pay tribute to him.

My main point, on which I shall speak briefly, concerns finance. My hon. Friend the Member for Hereford cannot be here because of parliamentary business, but I know that he would wish to join me in my remarks. I shall make many parts of my speech on behalf of us both, as I will address myself to the Hereford and Worcester order. The financing of the new county of Hereford is important, because it relates to the financing of all rural areas under the new arrangements. Although that matter has yet to be touched on directly, I hope that those on both Government and Opposition Front Benches will do so during their winding-up speeches.

It is extremely expensive to deliver local government services in rural areas, and the re-creation of the county of Herefordshire will need funding. The background to this matter is the 1971-72 local government amalgamation of Hereford and Worcester, which was an intensive political issue locally and caused considerable political fall-out. I almost lost my seat as a result of it. The reasons for that fallout—those which were financial—are relevant to the present and to the future. At that time, Herefordshire was not financially viable on its own, and was requiring some 70 per cent. rate support grant. The county did not have a sufficient financial base to deliver services, particularly with the increasing expense of providing services to a very rural county.

The combination with Worcestershire worked, and I want to put on record the fact that I am the only Hereford and Worcester Member of Parliament in the literal sense—I am the only cross-border Member, whose constituency is in the old counties of Herefordshire and of Worcestershire. I have represented both areas for a considerable number of years, and I know that the financial guardianship of Worcestershire has been useful and beneficial. That leads me to deal with the central point of the debate—the change to unitary status and the problems that could arise. On behalf of my hon. Friend the Member for Hereford, I must say that the change is welcome, as Herefordshire is a cohesive and natural county. There are no problems, other than financial ones, with the re-creation of Herefordshire.

Delivering services is expensive because the county covers many hundreds of square miles, and is as big as Worcestershire, but with one fifth of the population. We have more roads than Worcestershire and we must pay for them. The cost of delivering social services is enormous by comparison with the more urban counties. I appreciate that I will not get an undertaking at this stage, but I ask that some acknowledgment of those problems be made by those on both the Government and Opposition Front Benches. I speak for wider areas than just Herefordshire and Worcestershire—I am speaking, at least, for the whole of rural England on the future assessment of Government support for rural areas.

Bearing in mind that there is a capping limit to what we can spend, we must remember that services could suffer if we do not have a big financial base and we need to know that those matters will be taken into consideration. After all my time here, I am conscious that a slight twitch on the tiller by the Government can cause a considerable difference to local government.

I had been a Member of the House for only five months when I was in a motor car in Leominster with a placard, shouting at a Government Minister who is now a much-loved Member of the House. For the only time in my life—I had never done it before, nor have I done it since—I was shouting repeatedly, "Oakes out, Oakes out". That was because of the difference in the rate support grant wrought upon the original settlement by the incoming Labour Government. This is not a partisan matter, however, and I welcome the concordat across the Floor of the House on the matter.

The next Government—of whatever colour or formed from whatever party or parties—must look after the county of Herefordshire and the other rural counties, otherwise the change will not work. We say thank you for giving our county back, but without Government support, we cannot afford it.

6.5 pm

Mr. Bruce Grocott (The Wrekin): It is an unusual pleasure for me to be able to speak enthusiastically in support of a local government order from this Government. In my case, it is more than 17 years since I stood up in the House to support a Government order affecting local government. I hope that this will be good practice for me, as I look forward to supporting repeatedly local government orders presented by the Government after the next election.

[Mr. Bruce Grocott]

There has been a long ride, and a roller-coaster. The original Local Government Commission's proposal for The Wrekin recommended the status quo but finally—after many meetings—we have reached the recommendation that is before us today. I speak as a long and enthusiastic admirer of the traditions of English local government. At various times, I have worked as an officer, a councillor and a committee chairman in local government. I believe strongly that democracy should come from the bottom up, and without strong local democracy, it is unlikely that we can have a healthy national democracy.

I welcome the orders generally, but particularly the order applying to The Wrekin. My reasons for supporting unitary local government have been rehearsed in the House, and I shall mention them briefly. The first and most obvious point is that all local authority services are closely interrelated—most obviously, housing and social services. It does not make sense that housing should be in the hands of one authority while social services are in another. Education is another obvious example that relates to many other local government services.

We all know that, in practice, people look for a solution not to a particular local authority but rather to local government generally. I happen to believe that, in any democracy, local government ought to be intelligible. One of the many tables in the original Local Government Commission report showed the split of functions between district and county councils. For example, county councils' transport functions included public transport; highways and parking; traffic management; footpaths and bridleways; and transport planning. District councils' transport functions included unclassified roads; off-street car parking; footpaths and bridleways; and street lighting. That is unintelligible to most members of the public. Indeed, I heard a member of the original Local Government Commission say at the annual meeting of the Shropshire Association of Town and Parish Councils that he had found in practice that many local government officers did not always understand the distinctions between the different tiers of local government.

I strongly support unitary local government, particularly in my area of The Wrekin. When people come to see me at my advice bureaux—this must be the experience of other Members—they want a solution to the problem. They are often baffled by the boundaries between the two local authorities, but they look for a solution to the most local of the local authorities and are much more likely to hold The Wrekin district council responsible for resolving local problems and providing local services.

Briefly, I shall spell out The Wrekin's case. We now have a population of 145,000 and it is estimated to reach 155,000 by 2001. Between 1971 and 1991, we were the fastest growing district in the west midlands. We are by far the largest district in that area without unitary powers. We are bigger than 13 of the towns that have already been given unitary status.

Just as important as population size, however, is the distinctive character and identity of The Wrekin. It is famous as the birthplace of the industrial revolution. Hon. Members will be relieved to hear that I will not give them a history lesson, but will simply say that few hon. Members will not know of the iron bridge and Ironbridge gorge museum, which is known not merely nationally but internationally.

The real growth in the area came in 1968, with the establishment of Telford development corporation, which brought together a number of towns and communities with distinct and rich histories: Madeley, with its record of coal mining going back to the 14th century; Dawley, again with centuries of mining tradition; the ancient market town of Wellington, which has been a market since the 13th century; Oakengates, with its historic base in mining and manufacturing; Hadley, with its manufacturing traditions; and Donnington, with its long experience of employment in the defence industry.

The new town of Telford and the nearby Norman town of Newport, together with the surrounding rural area, comprise The Wrekin local authority, which we are debating. In its draft recommendations, the Local Government Commission spells out our distinctiveness, saying:

"The Wrekin's strong community identity is markedly different from the rest of Shropshire. The urban area of Telford is a major growth area for the West Midlands and its needs, in relation to socio-economic and development criteria, are very different to the needs of rural Shropshire. The Wrekin is largely self-contained for employment and leisure. The rural part of the district is connected strongly to Telford."

The commission continues—and I agree—

"The present structure of local government in Shropshire is inherently unstable, with considerable divergence of interests between The Wrekin and the rest of Shropshire. The Wrekin will continue to grow and would benefit from unitary status in achieving its full identity as a place, whilst Shropshire County Council could focus on the distinctive needs of the rest of the County."

We are in no doubt that our distinctive history and character and the rapid growth of the past 25 years mean that the time is right for us to run our own range of local services.

I must mention the strength of local support and one or two of the organisations that have been particularly helpful in our attainment of unitary status. First, I must emphasise the consistent all-party political support. I have been on several delegations to a range of Ministers, always with the leaders of the main political parties, and I pay tribute to them for the support that they have consistently given. There has also been strong support from industry and commerce. It is not surprising, as the area is a major growth area, not merely for the county but for the west midlands region, that the Shropshire Chamber of Industry and Commerce has said:

"the primary reason for adopting unitary status . . . is that of economic development".

There has been strong support from business groups and organisations. One local managing director said:

"dealing with one local authority—who will provide the full range of services—will be of significant benefit to local business, this is particularly the case for strategic services which have a very local impact such as planning, minerals extraction and waste disposal".

There has also been tremendous support from religious, voluntary and leisure groups—including the Telford Christian Council; the Telford Community Council; the Telford West Indian Association; the Trades Council; the Oakengates Sikh temple; the citizens advice bureaux; the credit unions; the Punjabi Cultural Society—and pensioners' groups—including the Telford Pensioners Action Group and The Wrekin Pensioners Forum. There

has also been support from sporting organisations, including Telford United football club, the Telford athletics club and the Lilleshall sports centre.

There has been backing from the health service, which is important. A spokesman for the Princess Royal Hospital trust said that a unitary authority would:

"enhance the integration of all forms of social care locally".

The spokesman also said that a unitary system of local government presents an exciting prospect that will drive local partnerships forward and add value to health service delivery.

We have also had the crucial support of the parish councils. Their involvement and co-operation will be essential in making the new system of local government work, and their support has been overwhelming. There have been many submissions from town and parish councils, but I will mention only that of Oakengates, which said that unitary local government would

"lead to improvement in the quality and co-ordination of services with clear objectives and policies with no competition and overlap".

Mr. Keith Vaz (Leicester, East): As my hon. Friend knows, I visited The Wrekin a few weeks ago. He is one of the most modest Members in the House. It would not be right for us to proceed after that long list of organisations and individuals who argued for unitary status for The Wrekin without the House noting his support and hard work and the intelligent way in which he championed The Wrekin's cause, which made the Secretary of State review his decision and allow unitary status to proceed. The House should note his immense contribution to that task.

Mr. Grocott: What a glowing tribute. I am grateful to my hon. Friend.

When a change of this importance is proposed, opposition is inevitable. Not unnaturally, the county council has opposed the change because councillors and officers are rightly proud of the many ways in which they have served the whole community for so many years. I pay tribute to the work of the county council. My support for a unitary Wrekin is not a criticism of that council, but a recognition that time has moved on, The Wrekin has grown and developed and, like all other districts of comparable size and in keeping with the traditions of English local government, we have earned the right to run our own affairs.

I have described unitary status for The Wrekin as a coming of age. There was never a coming of age without an occasional backward glance, but the move is inevitable and right and I am certain that it is in the best interests of The Wrekin and the county of Shropshire. I am also confident—this is important—that now that the debate on reorganisation is coming to a close, the county and the district, both councillors and officers, will work together for a smooth transition and with a determination to make the new system work for the benefit of all of us.

I have been pleased to work with officers of The Wrekin council and councillors of all political parties to achieve the unitary status that is enshrined in the order. I have great confidence that between us we have the skills, commitment and enthusiasm to meet the very exciting challenge and opportunity that are being given to us with the right to run locally the whole range of local government services. I am proud to be the Member of Parliament at a time of such significant and important advance in the long, rich history of The Wrekin.

6.17 pm

Mr. Rupert Allason (Torbay): I am grateful, Mr. Deputy Speaker, for the opportunity to address the House, particularly on the third order on the Order Paper. I am also grateful to the hon. Member for Newbury (Mr. Rendel) for providing such classic, knockabout cabaret entertainment. Whoever said that local government was boring? His blundering ignorance—wandering around the country, irritating every part of the compass—was breathtakingly astonishing. Even his two colleagues, who, of course, he could not see behind him—the two who came in to support him—were cringing. I am delighted to thank him in one regard. I am fairly confident that he will have organised a defection from his own party. The leader of the Liberal Democrat group on Torbay borough council is in the Gallery and I have no doubt that he will want to make some kind of a declaration—

Mr. Deputy Speaker: Order. The hon. Gentleman knows that the House is what is before us. There is no such thing as a Gallery as far as the Chamber is concerned.

Mr. Allason: I apologise, Mr. Deputy Speaker. Nevertheless, I am confident that, somewhere in the House, there will be a defection based on that performance.

I pay tribute to the principle behind the order. I became convinced of the principle of unitary authorities back in 1977, when I stood for what was then the Greater London council and, having discovered precisely what its responsibilities were, was appalled. I told Conservative central office that the best platform for me to stand on was abolition of the GLC. Clearly, I was prescient because central office said then that that was out of the question because the GLC was essential.

There is a considerable difference between the responsibilities of the two tiers of local government which is often lost on the general public. It is sometimes difficult to explain it. I have always believed, based on my experience in 1977, in one-stop local authorities.

Torbay is a distinctive community, quite separate from the rest of Devon. Curiously, it has relatively few Devonians or born Torquinians and Paigntonians. The editor of the *Western Morning News* once remarked that he could probably sell more copies of *The Birmingham Post* in Torbay than he could of his newspaper. That is because it is a delightful part of the country and many people wish to live and retire there; they are very welcome. However, that makes Torbay distinct from the rest of the county—a fact that was not initially acknowledged by the Banham commission.

The public response in the bay to the first three options in the report, which did not give Torbay unitary status, was universal dismay. An impressive campaign was mounted by the people of Torbay. The initiative came not from the local authority but from the business community, from the grass roots, from all three political parties and from numerous other organisations which joined together to form Torbay United.

[Mr. Allason]

The cost to the local authority of the campaign was minimal. I participated in it on the single condition that it would not be a waste of council tax payer's money. It is right that I should pay tribute to the town clerk and chief executive of Torbay borough council. I understand that he is not in the Gallery because there is not one, but I think that he is quite close by.

Mr. Deputy Speaker: Order. The hon. Gentleman should be aware that other hon. Members wish to speak on the orders. I would be grateful if he would attend to them and nothing else.

Mr. Allason: I will be as brief as I can, but I must say that time was exhausted by the hon. Member for Newbury.

The issue is the future of Torbay and, in particular, of education there. I do not want its unitary authority to be an exercise in empire building. I want no repetition of what happened in the early 1970s when identical jobs were re-advertised and the same people took the same posts but at greater salaries. That reorganisation is generally regarded as having been a mistake. Local people will be vigilant to ensure that such empire building does not happen again.

The relationship between local schools and their democratically elected representatives has, to some extent, broken down in Torbay. I conducted a survey to establish the depth of the breach, and I am concerned that some schools are not aware of the name of their county councillor. They have not been visited by their borough councillors. According to the Rev. Brian Prothero, his councillor turns up only to vote against any suggestion of grant-maintained status. The future of Torbay's children and their education must be paramount, because that is where the largest amount of money will be spent by the new authority.

I am concerned that the transitional committee that considered education decided on a 32-strong education committee. In its final report, there was no statement to preserve excellence or guarantee the future of the three grammar schools, which are remarkable centres of excellence. There was no commitment to focus resources on children rather than administration. The new authority must concentrate on the delivery of high-quality services. Torbay has been disadvantaged in the past by Devon's education authority. A couple of schools in my constituency bear eloquent testimony to the fact that they have been starved of resources over several years.

Many pledges have been made about what the future holds for the unitary authority in Torbay. I welcome the order; I have worked hard to persuade my right hon. Friend the Secretary of State to include Torbay. I, the council tax payers of Torbay, the business community, the borough council and all three local political parties welcome it. I give this warning: the people of Torbay will be vigilant. They know the promises that have been made about future council tax levels. Nevertheless, I urge the House to pass the order.

6.25 pm

Mr. Andrew Mackinlay (Thurrock): I am pleased to speak in this debate. I shall be as swift as possible. The Liberal spokesperson showed unprecedented selfishness. I regret that the Leader of the House did not meet my request, and that of the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), for more time. If we were dealing with Scottish legislation, we would not have had one day but a Bill with a Committee stage. Such treatment makes the House of Commons seem a sham in dealing with the interests of millions of people.

My borough of Thurrock will be proud to have the orders passed: 84 per cent. of its people recognise that they are part of the borough, which is an important part of Essex. It will remain part of the county of Essex, as the Secretary of State said. However, we are keen to have our independence of county hall, Chelmsford for a variety of reasons. We believe that local government services should be locally based. Chelmsford county hall is sometimes a million miles away from the people and interests of Thurrock, although I pay respect to the county officers and county councillors of all political parties who have given good service to the people of Thurrock over many decades. However, the time has come to recognise that our interests will be better served by the all-purpose authority based at the civic offices in New road, Grays.

My borough is part of the Thames gateway initiative, which has played an important part in our campaign for unitary status, as was acknowledged by the Secretary of State, the right hon. Member for Skipton and Ripon (Mr. Curry) and my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson). I place on record my gratitude to them.

The borough owes a great debt of gratitude to Jimmy Aberdein, who was for many years leader of the council and fought hard for unitary status. I thank the existing leader, Andy Smith, who was supported by the Conservative opposition leader Ray Andrews, by Graham Thomas, the secretary of Thurrock Industries Association, and by John Vesey who, in addition to his involvement with the association, is chairman of Thameside Community Healthcare NHS trust. They did much to buttress our campaign for unitary status. There has been a pulling together in Thurrock—a municipal pride—that is reflected in the order. It has been immensely popular and much demanded, despite the claptrap of the hon. Member for Newbury (Mr. Rendel).

My borough has some of the highest indices of deprivation in Essex. Unhappily, its health is among the poorest and there is high unemployment. However, we also have a lot going for us. We are in the Thames gateway and we have the last part of the working port of London, the port of Tilbury. We have a vibrant retail sector, most of which is described as Lakeside, although West Thurrock retail park is much larger than that. We occupy a strategic position on the M25 and on the channel tunnel rail route. In addition to our river frontage, we have an attractive green belt area. That all reflects the corporate identity of our proud borough.

I share my borough with the hon. Member for Billericay (Mrs. Gorman), who on other occasions has been kind enough to mention my name when I have been unable to attend the Chamber. I want to acknowledge that we share the representation of the borough. She and I have a large, attractive green-belt area in our constituencies, including some very attractive Elizabethan listed buildings and the nice village of Fobbing, with its historical association with Wat Tyler and the peasants' revolt.

Dickens and Conrad wrote in the borough and the highlanders who suffered immense defeat 250 years ago at Culloden were incarcerated at Tilbury fort. The borough is rich in history. My borough council and the people of Thurrock wish to exploit the great enterprises which are developing on the river frontage and our historical associations and to put the borough very much on the map. We can do that by having unitary status and working with other statutory agencies such as health trusts and health authorities, and with industry, to create a better quality of life in the borough.

Thurrock is a vibrant borough. It has a good record of local government administration, independently audited by the Audit Commission. I know that it is held in high regard by officials within the Department of the Environment. Contrary to his better judgment, even the Secretary of State might give nodding acknowledgment to the great stewardship of Thurrock borough council by councillors of all parties over many years and the vibrant way in which it is run now. It is working with other boroughs along the river frontage and with the Department of the Environment to make a great success of the Thames gateway initiative.

It is a pity that the legislation which gave rise to these orders was flawed. That is not the fault of the current Secretary of State or his deputy. The now Deputy Prime Minister botched the original legislation. One thing on which we are all agreed is that there should have been greater scope for more unitary authorities around the country. As has already been said, it is perverse that Norwich has not been given unitary status. It is a great pity. I look forward to the day when my hon. Friend the Member for Holborn and St. Pancras is on the Treasury Bench and gives proud cities and boroughs the opportunity once more to enjoy the unitary status to which they are entitled.

Time is desperately short. It is a great shame that the Government let us down by not making more time available. I conclude by welcoming the orders. I hope that the House will accept them unanimously.

6.32 pm

Mr. James Couchman (Gillingham): I am pleased to see my hon. Friend the Member for Medway (Dame P. Fenner) in her place. She and I will share the Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996, which proposes to dissolve Gillingham borough council and Rochester upon Medway city council and to create a new unitary authority to provide the full range of services presently provided by the two district councils and Kent county council.

This has been a contentious issue in my constituency for far too long. It has been a matter not only of contention but of sadness and bitterness for friends from the same party serving on district and county councils who have found themselves on opposite sides of the argument, and for Members of Parliament such as myself who, having stood up to be counted on one or other side of the argument, have lost friends and supporters who took a contrary view.

Change in the way in which we govern local services is rarely popular; we are all conservative with a small "c". I have been consistent in supporting the proposal to create a single tier of local government for Gillingham, Rainham, Chatham, Rochester and Strood, which together have a population of about 250,000. I gave evidence to the first Local Government Commission for England and expressed my support for a unitary authority. That was in line with the support then given to the proposals by both district councils, but against the stance adopted, understandably, by the county council, which was fighting for its survival.

I confirmed to the second Local Government Commission chaired by Sir David Cooksey, which was acting on the Secretary of State's requirement to review some of the final recommendations, that I was consistent in my support for a single authority, despite Gillingham borough council—reflecting the new overall control by Liberal Democrat councillors—having done a complete about-face in its support for such a single authority. Gillingham's Conservative and Labour councillors remain in favour of a unitary authority, as do councillors from all three parties on the city council. The reasons why I expressed support for a single authority to the first commission remain as strong now as they were then.

I served as a councillor on Bexley borough council from 1974 to 1982. The outer London boroughs, despite the unwelcome interference of the then Greater London council, were virtually and are now actually unitary authorities, providing all those services, apart from police and fire services, which are provided by the district and county councils outside London. Bexley was an excellent council in those years, providing first-class schools, social services, housing, roads and civic amenities. It was a viable entity serving the population that it did. It still is viable and is respected for its innovative services. Bexley came out of Kent county council in 1964 and its inheritance from Kent county council was pretty threadbare.

My right hon. Friend the Secretary of State has referred rightly to the geographical integrity of the Medway towns and to the weak nature of the present boundaries between the city council and Gillingham borough council. I believe that a single-tier council serving Gillingham, Rainham, Rochester, Chatham and Strood can be as viable as Bexley borough council, on which I served. Decisions will be taken by people living in those towns rather than people who live from Dartford to Dover and Maidstone to Margate.

The constituent parts of Kent are quite different. The problems and opportunities which confront the Weald or even east Kent are different from those that affect north Kent. Kent in my view is three counties—east Kent, north Kent and what I am pleased to call posh Kent. The council has not always realised that.

Some people have suggested that Gillingham will become submerged in Rochester. I do not believe that for one moment. The pivot for the Medway towns in future is likely to be where it has always been. The former royal naval base and Chatham dockyard, now Chatham Maritime, is where the development is taking place for the towns. Gillingham's business developments, both in Chatham Maritime and the business park, together with its football club, which achieved promotion last year, Hempstead Valley shopping centre and even Gillingham's unique connection with the Japanese mean that Gillingham will remain its own town. However, I believe that Gillingham will remain in Kent for postal purposes

[Mr. James Couchman]

and for Kent's heritage and sporting traditions, just as 30 years on Bromley and Bexley remain part of Kent, if not of Kent county council.

Dame Peggy Fenner (Medway): It is most kind of my hon. Friend to allow me this interjection. I should like to correct the assertion made by the hon. Member for Newbury (Mr. Rendel) that the order was not a democratic response to the people of Rochester. Five Liberal members of the local authority joined the members of other parties in support of the proposal for a unitary authority. I am sure that the logic of the rest of his speech, little though it was, would count a population of almost 250,000 as large enough to have one authority.

There is one particular burning issue that I wish to raise and about which I wish to be reassured. Article 7 makes provision in respect of the Medway towns specifically for minerals and waste policies. I should like an assurance from my right hon. Friend the Secretary of State that that includes the minerals and waste policies—

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the hon. Lady, but that was a very long intervention.

Mr. Couchman: I am sure that my hon. Friend has made her point and that my right hon. Friend the Secretary of State has heard her. I agree with her contention about the democratic nature of the arrangements. There is a huge irony about the fact that Gillingham Liberals are now against the proposal. The leader of the Gillingham Liberals proposed to the Association of District Councils in Kent that the whole of Kent should be made into unitary authorities, but of course, like other Liberals, he reserves his right to change his view from time to time. I suspect that he may have realised that a unitary authority for the Medway towns would not be dominated by Liberal councillors. That may explain his change of mind.

My hon. Friend is right about the democratic nature of the proposal. The hon. Member for Newbury made great play of the commission's consultation exercise. The commission sent out 650,000 leaflets detailing four options. One in 13 of those many leaflets was returned to the commission—that is about 50,000, a number not unadjacent to the number of people who work for Kent county council and who would have had a heavy vested interest in its retention and maintaining the status quo.

In Gillingham, fewer than 3,000 leaflets were returned out of a population of 96,000. Some 75 per cent. of those were in favour of retaining the status quo—two thirds of the 96,000. People tend to write in if they are against rather than in favour of something. It could therefore be suggested that almost 94,000 of Gillingham's population supported, or did not mind, the concept of unitary status.

The hon. Member for Newbury (Mr. Rendel) also made much of the somewhat bizarre MORI poll that was conducted by the commission. I am not going to follow the hon. Gentleman's comments on that subject; I think that we have yet to reach the parlous state where legislation is based on opinion polls.

My right hon. Friend the Secretary of State has been criticised for inviting a second commission to review the final recommendations of the first commission. He has done so for consistency throughout the country; he made that clear in his statement to the House when he set up the second commission, and I support him in that decision.

Throughout a difficult period of controversy, I have tried to respect the opinions of all those who have taken an opposite view. I have been consistent in my support for the proposal, which I believe will result in the best local governance for Gillingham and Rochester, through a time of great change and regeneration, into the 21st century. As the hon. Member for Holborn and St. Pancras (Mr. Dobson) suggested, no one can say whether it will lead to a higher or lower council tax. That will depend on a number of complex resolutions about support grant, standard spending assessment and the residual debt—I mentioned that to my right hon. Friend the Secretary of State as we are worried about the possibility of asset stripping by the existing authorities. The council tax level will also depend on those who are elected to the new, single-tier authorities. I shall not add my guesstimate to those of the soothsayers who have been so eloquent in their guesses as to whether it will be an expensive option.

I have read the order carefully and there are some points on which I would like my right hon. Friend's guidance. Article 5 sets up a new county of the Medway towns, but without a county council. I presume that that is to allow the transfer of powers and duties from Kent to the new unitary authority. But flowing from that, what are the ramifications for policing the area of the new county and what implications will article 6 have for fire services? Am I right to assume that the postal address will remain Kent, as it does for Bromley and Bexley some 30 years on? Who will represent Her Majesty as Lord Lieutenant? Will it be Lord Kingsdown, who has done such a splendid job in Kent for so long?

Much of Kent's history, particularly its military history, is bound up with the Medway towns—the royal naval base, formerly the royal marines and, to this day, the Royal School of Military Engineering and the headquarters of the Royal Engineers are in my constituency. The history is inalienable and indivisible, but does my right hon. Friend foresee problems in maintaining Kent, within its present boundaries, as the location of such history when the county of Kent becomes the counties of Kent and the Medway towns? What are the ramifications for sporting qualifications? Those are just some of the questions that suggest themselves to me.

I have spoken for too long. I shall have no difficulty in supporting the Kent (Borough of Gillingham and City of Rochester upon Medway)(Structural Change) Order 1996 for I believe that it will ultimately be in the best interests of my constituents and all those who live in the Medway towns. I hope that all concerned—Members, officers and anyone else who is involved in the transition—will now work to make the new council work.

6.43 pm

Mr. Peter L. Pike (Burnley): I am one of those who represent a constituency that will not be a unitary authority once the orders have been approved—I speak particularly in relation to the eighth order that involves Lancashire.

I do not enthusiastically welcome the provisions being implemented through the orders. The hybrid solution for Lancashire is not the best or the right one. I have always believed in unitary local government. My hon. Friend the

Member for Thurrock (Mr. Mackinlay) was absolutely right when he said that the legislation was flawed as, at the end of the review, not all the country will have unitary local government.

I have been involved in politics and local government in Burnley for well over 30 years. In the old days, Burnley was a county borough; it was extremely successful, although it was one of the smallest in the country at that time. Even now I can still see the historical problems caused by the local government reorganisation of 1973-74. There have been problems with the high school admissions places, particularly at Briercliffe, which had previously been in the county, but was not in the county borough; Padiham was a separate urban district council. As a result of admissions policy and the way in which education systems were developed all those years ago, the schools were not in the right places for the children to attend. Owing to lack of money, those problems have still not been solved, and they cause considerable problems for many people.

When people look at their council tax bill they will see that more than 80 per cent. of it goes to the county council. Six county councillors represent Burnley. Less than 20 per cent. of business is dealt with at borough council level, where we have 48 councillors. We do not believe that that is democratic.

I am not one of those who attack Lancashire county council. I believe that it has done an extremely good job in many ways. But two-tier local government is not the best form of local government. Unitary authorities can better represent people's needs; people understand where to go with their problems. My heart often tells me that Burnley should be a unitary authority in its own right. I recognise that it is probably too small and we need to join with other authorities. I do not blame John Banham alone for the mess that we are in, nor do I solely blame the Secretary of State responsible for the legislation—there were failures on the part of county councils and local people who failed to discuss the matter. However, the current form is not the best one.

If the House divides, I have no intention of voting against any of the orders. Burnley borough council and I share the view that enough time has elapsed: Blackburn and Blackpool should attain unitary status. We wish them well and we hope that the system will succeed. Lancashire county council has a responsibility to ensure that the transmission goes smoothly and that it works. It must recognise that it will bring financial and service problems for the rest of Lancashire. Lancashire and the 12 other districts that will remain as non-unitary authorities should get together to ensure that service is better delivered until, I hope, a further local government reorganisation tackles the problems that remain in Lancashire and other parts of the country without unitary authorities.

6.48 pm

Mr. Christopher Gill (Ludlow): The hon. Member for Newbury (Mr. Rendel) made some wide, inaccurate comments and he has been roundly criticised in the House for the inaccuracy of some of his supposed statistics. He was absolutely wrong when he said that only one Conservative Member of Parliament was opposed to the order. I regret that the other Member who represents Shropshire, my right hon. Friend the Member for North Shropshire (Mr. Biffen), who is as opposed to the order as I am, is not in his place this evening, for family reasons. Although I cannot speak for him, I venture to suggest that he will not disagree with the burden of my argument. I have little doubt that, if the House were to divide on the issue, my right hon. Friend would vote against it, as I would and as would my hon. Friend the Member for Halesowen and Stourbridge (Mr. Hawksley), who was formerly the Member for The Wreckin.

My right hon. Friend the Secretary of State was scathing about those who "cannot make up their minds". It would have been infinitely preferable had he followed the example of my right hon. Friends the Secretaries of State for Wales and for Scotland and acted positively and decisively on local government in England by putting proposals that the House could either vote for or reject, rather than subcontracting consideration of the matter to the local government commission. The first time around, the commission recommended the status quo for Shropshire. That commanded popular support among the majority of my constituents and certainly among my councillors, although I readily concede that it was because they felt that it was the lesser of the two evils on offer.

I support the principle of unitary authorities. As my right hon. Friend the Secretary of State said, they end the confusion about who is responsible. I pay tribute to the eloquent defence of that principle made by another Shropshire Member, the hon. Member for The Wrekin (Mr. Grocott); but what is sauce for the goose is sauce for the gander and it is ironic that I, a great advocate of unitary authorities throughout my career in Parliament, will now have the worst of all worlds.

In the rump of Shropshire, we shall now be the smallest county council with less than half the average population. That tiny population will retain two tiers while supporting a system of local government that we did not seek, and picking up the tab for the cost of a reorganisation that we did not want. We shall be extremely disadvantaged in terms of our standard spending assessment. The Wrekin's share of the county council budget is slightly less than the SSA, but the new Shropshire share will be significantly above the SSA.

I make an impassioned plea to the Secretary of State that, when he calculates the next revenue support grant settlement, he looks seriously at the sparsity factor. Unless it is adjusted to take account of the unique difficulties of sparsely populated areas such as the rump of Shropshire, we shall be in an extremely difficult financial position.

Mr. Gummer: I assure my hon. Friends the Members for Ludlow (Mr. Gill) and for Leominster (Mr. Temple-Morris) that I shall look carefully at the sparsity factor in the two counties that they represent and elsewhere.

It was not I who decided that England should be dealt with differently from Wales or Scotland. The House passed legislation, which I have followed. It was not open to me to take the steps that my hon. Friend the Member for Ludlow wanted.

Mr. Gill: I am most grateful to my right hon. Friend, not only for that clarification but for his undertaking to look at the sparsity factor.

May I continue the point about the local government review? The local government commission is unelected and unaccountable and does not have the democratic

[Mr. Gill]

legitimacy of Members of Parliament. My right hon. Friend the Member for North Shropshire (Mr. Biffen) and I regret that a greater attempt was not made to consult us on those important matters. I very much regret the decision that has been reached and the manner in which it has been reached. I take this opportunity to repeat the plea that I made to my right hon. Friend the Secretary of State a moment ago about the sparsity factor because, unless he can ensure that the financial consequences of the review are fully reflected in future SSA calculations and RSG settlements, there will be great unhappiness in the county of Shropshire.

I welcome my right hon. Friend's assurance. Shropshire Members of Parliament and county councillors will provide him with as much information as possible or necessary to justify the case that we shall undoubtedly present to him.

6.54 pm

Mr. David Jamieson (Plymouth, Devonport): It is a curious and happy coincidence that, whenever I am fortunate enough to be called to speak on the Floor of the House on issues concerning Plymouth, you, Madam Deputy Speaker, are in the Chair. I shall make my comments brief this evening, mainly because the hon. Member for Newbury (Mr. Rendel) took a fifth of the time available. I assure him that he spoke not for the rest of us but instead of the rest of us. He may reflect on why we do not have Liberal Democrats on Plymouth city council.

I am pleased to say a few words in favour of order No. 3 on unitary status for Plymouth and Torbay. The issue has united Plymouth. Plymouth has a proud history of serving its local people and of serving the nation through the Royal Navy. The people of the city have been served since the beginning of the century, when the three towns of Devonport, Stonehouse and Plymouth came together. But in 1974, many people felt extremely bitter that responsibilities, particularly for education and social services, were taken away from Plymouth and moved 40 miles down the road to Exeter, which is half the size of Plymouth. That has had a serious psychological effect on how people regard their city.

I welcome the changes, which present a challenge to Plymouth to do better. It is a testimony to the excellent officers and the councillors of various parties that have served us over the years that Devon has served us well as an education authority, but that lays down a challenge to us to do better in the future. Moreover, it is a testimony to Devon county council that only seven of the 500 schools have gone grant maintained.

I also welcome the order for Torbay. However, it leaves Exeter in an awkward position, as it deserves unitary status. It also leaves the rest of Devon in a difficult position with the two-tier system that remains. Although I am pleased that the decision has been made, many of us in Plymouth were disappointed about the year's delay in putting the order through Parliament. However good local government is, it depends on good local government officers, and their loyalty is not enhanced by uncertainty. The delay in the reorganisation has created uncertainty. People need to know what will happen to their jobs in the future if they are to deliver high-quality local services. However, I am glad that we have now reached the point at which reorganisation will go ahead. I applaud those officers who have been working hard to prepare for the changes on Devon and Plymouth councils over the past two years while all that uncertainty has existed.

We can now look forward with confidence to the future. Services to the people are best delivered near to the people at the lowest possible level. Education and social services will now be delivered by the city of Plymouth rather than to our neighbour down the road, Exeter. Plymouth has many fine schools, both primary schools and, since reorganisation in the late 1980s, community colleges; indeed, we now have some of the best community colleges in the country.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Gary Streeter): And grammar schools.

Mr. Jamieson: The hon. Gentleman mouthed the words "grammar schools" to me. I remind him that, some years ago, when he was a member of the Tory city council, the Conservative county council closed six grammar schools in Plymouth.

I shall not detain the House, except to say that the city has been served by excellent officers and councillors over the years. In particular, I pay tribute to the current leader of the council, Councillor John Ingham—a local man of understanding and vision. He has the respect of the local community. We can all look forward to the elections next year with confidence. This is truly a challenge for the councillors, for the officers and for the people of Plymouth.

6.59 pm

Mr. Alan Simpson (Nottingham, South): I did not anticipate that I would speak in this debate whole-heartedly in support of the comments of the Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal, and so profoundly in disagreement with the comments of the hon. Member for Newbury (Mr. Rendel)—the House never fails to contribute to my education. In terms of this playing into the hands of the Liberal Democrats and allowing them to concentrate their fire, I wish that the hon. Member for Newbury had asked the two Liberal members of the council in Nottingham what their advice might be. I suggest that it would have been that their Front Benchers could best help if they did not concentrate their fire on their own troops, who support the change.

I welcome this long overdue change. Nottingham is the largest city in England that is currently administered under a two-tier system of local government, and it has been in the pipeline of review and re-review longer than any other city. It would be a travesty if hon. Members did not understand that this change of status is in the interests of a devolved system of local government, and of restoring the credibility and value of local government. Nottingham hopes to lead the way in showing what devolved local government can do.

Yesterday, the House decided to return the stone of destiny to Scotland. It is entirely appropriate that today the House will, I hope, decide to return the seat of authority to a unitary council in Nottingham. In Nottingham, the city council has already established the momentum to provide better co-ordination of its services

and to guarantee local people a more open and accountable system of local government. I hope that the change to unitary status will allow it to deliver that in ways that the public can understand. As someone who served as a county councillor for a city ward for eight years, I know that local people do not understand the difference between the two separate authorities. I hope that the basis of that misunderstanding can be swiftly removed when the change is brought about.

I urge those on the Front Benches—who have co-operated on this issue—to look more widely at the challenge that they are now posing to devolved and unitary local government in the years ahead. I hope that they will listen to the calls of local authorities which have said that it is about time we got rid of the doctrine of ultra vires. I hope that they will also look at local government in other parts of Europe, where local authorities are assumed to have powers of general competence. I hope that they will look at models in Scandinavia, where local authorities are deemed to be able to function as municipal enterprises. These are the challenges that local government will have to face in the decades to come if they are to respond to the demands of their local population.

I pay tribute to the leader of Nottingham council, Graham Chapman, and to the other councillors who have contributed to the pressure for reorganisation and the restoration of unitary status to Nottingham. I also pay tribute to the local authority staff—both the city and the county—for working towards the transfer process. I am sure that all hon. Members would urge the two local authorities involved to work constructively to provide a seamless transfer of front-line public services to that unitary authority—no one will benefit if that does not occur.

This should not be dismissed as an undesirable change; it should be seen as a change that is long overdue. The change will be welcomed by the people in Nottingham, whose arguments were not necessarily about unitary status but about whether the boundaries of a redefined Nottingham should be enlarged—we may or may not return to that issue in the future.

I welcome these changes. If we can get the local authorities to work in harmony with the order—which will, I hope be passed tonight—we will ensure that the city that is the "Queen of the Midlands" then has the rightful throne restored, from which it can reign.

7.5 pm

Mr. Bernard Jenkin (Colchester, North): I apologise to my right hon. Friend the Secretary of State for the Environment and to the hon. Member for Holborn and St. Pancras (Mr. Dobson) for not being present in the Chamber earlier.

I shall address the concerns of a few of my constituents in relation to motion No. 4 on the Order Paper—the changes to the boundaries between Colchester and Tendring in my constituency. The proposal to move Dene Park in Wythenhoe from the district of Tendring into the borough of Colchester, with the rest of Wythenhoe, is supported in Wythenhoe and in the borough and the district concerned.

The problem concerns two roads—Keeler's lane and Alresford road—which are just outside Wythenhoe. During the consultation, they were considered to be part of Dene Park, so when the residents were asked whether they wanted Dene Park to be transferred they assented because they did not consider themselves to be in Dene Park. When they were transferred out of the district of Tendring and into the borough of Colchester, they expressed concern. Unfortunately, that concern was expressed to me too late in the process for the boundaries to be altered and for the order to be changed.

I fully understand the restraints that Ministers face in this respect. However, I ask my right hon. Friend the Secretary of State to record for posterity that, when these matters are considered again, the residents of these two roads would very much like to be taken back into the Tendring district. The Conservative party believes deeply in there being authorities in which people feel they belong. Although this is a minor matter in the scheme of things, these people feel slighted by what has happened. We must do our best to restore order in this matter next time it is considered.

Question put and agreed to.

Resolved,

That the draft Cambridgeshire (City of Peterborough) (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.

Motion made, and Question put,

That the draft Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

The House divided: Ayes 195, Noes 17.

Division No. 170] **[7.07 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Amess, David
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Bellingham, Henry
Bermingham, Gerald
Booth, Hartley
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Deva, Nirj Joseph
Devlin, Tim
Dobson, Frank
Dorrell, Rt Hon Stephen
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Flynn, Paul
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*

Griffiths, Peter *(Portsmouth, N)*
Grocott, Bruce
Gryffs, Sir Michael
Gummer, Rt Hon John Selwyn
Hall, Mike
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hawkins, Nick
Hawksley, Warren
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jamieson, David
Jenkin, Bernard
Jessel, Toby
Jones, Robert B *(W Hertfdshr)*
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'sth)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Mackinlay, Andrew
Malone, Gerald
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Pawsey, James
Pickles, Eric
Pike, Peter L
Porter, Barry *(Wirral S)*
Powell, William *(Corby)*
Prentice, Bridget *(Lew'm E)*
Quin, Ms Joyce
Rathbone, Tim
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Sir Michael
Simpson, Alan
Sims, Sir Roger
Speed, Sir Keith
Spellar, John
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Straw, Jack
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Sebastian Coe and
Mr. Patrick McLoughlin.

NOES

Alton, David
Banks, Tony *(Newham NW)*
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Chidgey, David
Davies, Chris *(L'Boro & S'worth)*
Harvey, Nick
Hughes, Simon *(Southwark)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Maclennan, Robert
Michie, Mrs Ray *(Argyll & Bute)*
Nicholson, Emma *(Devon West)*
Rendel, David
Skinner, Dennis
Taylor, Matthew *(Truro)*
Tyler, Paul

Tellers for the Noes:
Mr. Archy Kirkwood and
Mr. Don Foster.

Question accordingly agreed to.

Resolved,

That the draft Devon (City of Plymouth and Borough of Torbay) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

Resolved,

That the draft Essex (Boroughs of Colchester, Southend-on-Sea and Thurrock and District of Tendring) (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

Resolved,

That the draft Hereford and Worcester (Structural, Boundary and Electoral Changes) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

Resolved,

That the draft Nottinghamshire (City of Nottingham) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

Motion made, and Question put,

That the draft Shropshire (District of The Wrekin) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

The House divided: Ayes 188, Noes 17.

Division No. 171] **[7.19 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Amess, David
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Tony *(Newham NW)*
Bates, Michael
Bellingham, Henry
Bermingham, Gerald
Booth, Hartley
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Deva, Nirj Joseph
Devlin, Tim
Dewar, Donald
Dobson, Frank
Dorrell, Rt Hon Stephen
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, Jonathan *(Brecon)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Fishburn, Dudley
Flynn, Paul
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Gardiner, Sir George
Garnier, Edward
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grocott, Bruce
Gryffs, Sir Michael
Gummer, Rt Hon John Selwyn
Hall, Mike
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Hughes, Robert G *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew

Hurd, Rt Hon Douglas
Jack, Michael
Jamieson, David
Jenkin, Bernard
Jessel, Toby
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Mackinlay, Andrew
McLoughlin, Patrick
Malone, Gerald
Mans, Keith
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Pawsey, James
Pickles, Eric
Pike, Peter L
Porter, Barry *(Wirral S)*
Powell, William *(Corby)*
Prentice, Bridget *(Lew'm E)*
Rathbone, Tim
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shersby, Sir Michael
Simpson, Alan
Sims, Sir Roger
Skinner, Dennis
Speed, Sir Keith
Spellar, John
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr. Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Straw, Jack
Streeter, Gary
Sweeney, Walter
Sykes, John
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexl'yh'th)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Viggers, Peter
Waldegrave, Rt Hon William
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Derek Conway and
Mr. Roger Knapman.

NOES

Alton, David
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Chidgey, David
Davies, Chris *(L'Boro & S'wath)*
Foster, Don *(Bath)*
Gill, Christopher
Harvey, Nick
Hawksley, Warren
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross, C&S)*
Maclennan, Robert
Michie, Mrs Ray *(Argyll & Bute)*
Nicholson, Emma *(Devon West)*
Rendel, David
Taylor, Matthew *(Truro)*
Tyler, Paul

Tellers for the Noes:
Mr. Archy Kirkwood and
Mr. Simon Hughes.

Question accordingly agreed to.

Resolved,

That the draft Lancashire (Boroughs of Blackburn and Blackpool) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

Motion made, and Question put,

That the draft Kent (Borough of Gillingham and City of Rochester upon Medway) (Structural Change) Order 1996, which was laid before this House on 12th June, be approved.—*[Mr. Brandreth.]*

The House divided: Ayes 179, Noes 15.

Division No. 172] **[7.30 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Amess, David
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Bates, Michael
Bellingham, Henry
Bermingham, Gerald
Booth, Hartley
Bottomley, Peter *(Eltham)*
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brazier, Julian
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Devlin, Tim
Dobson, Frank
Dorrell, Rt Hon Stephen
Dover, Den
Duncan, Alan
Duncan Smith, Iain
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Flynn, Paul
Forman, Nigel
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Galloway, George
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grocott, Bruce
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hall, Mike
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Horam, John
Hughes, Robert G *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Mackinlay, Andrew
McLoughlin, Patrick
Malone, Gerald
Mans, Keith
Martin, David *(Portsmouth S)*
Meale, Alan
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Pawsey, James
Pickles, Eric
Pike, Peter L
Porter, Barry *(Wirral S)*
Powell, William *(Corby)*
Prentice, Bridget *(Lew'm E)*
Rathbone, Tim
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Roe, Mrs Marion *(Broxbourne)*
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*

Shersby, Sir Michael
Simpson, Alan
Sims, Sir Roger
Skinner, Dennis
Spearing, Nigel
Speller, John
Spencer, Sir Derek
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Straw, Jack
Streeter, Gary
Sweeney, Walter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Patrick *(Norwich N)*
Townsend, Cyril D *(Bexleyh'th)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Waller, Gary
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Roger Knapman and
Mr. Gyles Brandreth.

NOES

Alton, David
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomery)*
Chidgey, David
Davies, Chris *(L'Boro & S'worth)*
Harvey, Nick
Hughes, Simon *(Southwark)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Maclennan, Robert
Michie, Mrs Ray *(Argyll & Bute)*
Nicholson, Emma *(Devon West)*
Rendel, David
Taylor, Matthew *(Truro)*
Tyler, Paul

Tellers for the Noes:
Mr. Archy Kirkwood and
Mr. Don Foster.

Question accordingly agreed to.

Resolved,

That the draft Berkshire (Structural Change) Order 1996, which was laid before this House on 18th June, be approved.—*[Mr. Brandreth.]*

PETITION

Central Railway

7.41 pm

Mr. David Lidington (Aylesbury): I rise to present a petition on behalf of my constituents, who are objecting to the proposed freight railway system planned by Central Railway. The petition has been signed by constituents living in Bradenham—the boyhood home of my predecessor, Benjamin Disraeli—Bledlow Ridge, Saunderton, Horsenden, Lacey Green, Loosley Row, Princes Risborough, Longwick and Ilmer.

The petition has my full support, and declares:

the proposal of Central Railway is unacceptable in that the environmental damage it will cause would far outweigh any claimed benefits.

The petitioners therefore request that the House of Commons rejects the Central Railway Application for an order under the Transport and Works Act 1992.

To lie upon the Table.

Roads (West Wiltshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

7.42 pm

Mr. David Faber (Westbury): I am grateful to have the opportunity today for an Adjournment debate—rather earlier than normal—on the subject of the A36. I assure my hon. Friend the Member for Chelmsford (Mr. Burns) and other hon. Members that I shall not detain the House until 10 o'clock tonight, but I hope that they will forgive me if I take the opportunity to say a few words about the A36 improvement east of Bath to Beckington, which the Government have planned.

I should say that my right hon. Friend the Minister of State, Northern Ireland Office, the right hon. Member for Devizes (Mr. Ancram) and my right hon. Friend the Member for North Wiltshire (Mr. Needham)—who, sadly, are unable to be here for this debate—endorse the majority of the views that I shall express. I shall explain why they do so in the course of my remarks.

The Government's plans to upgrade the A36 from east of Bath to Beckington date back probably to 1976, when a study known as the Scott Wilson Kirkpatrick report first introduced the idea of the A36 corridor. The scheme was entered into the trunk road programme in 1989 and went out to public consultation in 1992, and the preferred route was announced in November 1994.

In the four years that I have been the Member of Parliament representing my constituency, few issues have so dominated local news as the proposed building of this road. It has drawn almost universal opposition from local residents, from the district council, from myself, from Caroline Jackson—our Member of the European Parliament—and from many others.

I pay tribute to local groups—rather than to the more national lobby groups, which have sometimes failed to understand the real reasons and principles behind the issue—especially in Bradford-on-Avon. They have expressed their opposition in a sensible and calm manner, often basing it on sound scientific reasoning and on research that they have carried out themselves. At times, they have appeared better informed than some members of the Highways Agency who replied to their letters.

Initially, support for the road was high in Bradford-on-Avon, as it was perceived as providing a much-needed bypass for the town. It soon became clear, however, that the road's scale would mean that there would be little relief for local traffic, and that it could possibly expose the town to increased traffic noise and traffic pollution. Indeed, the road level would have needed to be raised in one area to cross over the Kennet and Avon canal, which would have made it clearly visible in many parts of the town.

The route was also opposed on the grounds that it offered little help to business or industry in west Wiltshire, a subject to which I shall return to in rather more detail shortly. The road has been opposed by Bath city council, too, on the grounds that it offers little or no relief to that city.

The road is fraught with environmental danger. It is all new build to dual carriageway standard, and it will pass through large tracts of unspoiled countryside, most notably the Limpley Stoke and Avon valleys.

Last November, my hon. Friend the Minister for Railways and Roads announced that the scheme was to be downgraded in the roads programme, presumably because of the escalating cost of the new road, which is now put at between £80 million and £100 million. That decision has been warmly welcomed by local people.

I went with our MEP, Caroline Jackson, to see my hon. Friend the Minister, when, as I am sure he will recall, we discussed possible alternatives to the road, including a single-lane carriageway. I should be grateful if he will tell us today a little more about whether that possiblity has been examined further.

I must tell my hon. Friend that we should like to hear today that a decision has been reached to abandon the road completely. Many local people believe that the A36 could easily be upgraded, in part, on line, and possibly linked to a smaller inner bypass for Bradford-on-Avon itself.

While I acknowledge that it is now highly unlikely that the road will ever be built as it is currently planned, it is still very much a line on a map. That has great significance for many people, particularly for those along the route who are still suffering the effects of blight on their homes.

I appreciate that my hon. Friend is not the Minister with specific responsiblity for blight, but he may be aware from his background briefing of the cases of one or two of my constituents. I have been in contact with my hon. Friend the Minister for Transport in London about the severe diminution in value of one or two of the properties along the route, and I hope that those cases will be dealt with more sympathetically in future.

Suspicion has also been raised recently by the publication of a preferred route for the small southern section of the road south of Rode. Perhaps my hon. Friend the Minister will tell us a little more about the plans for that tonight.

Fortunately for the people of west Wiltshire and for the Department of Transport, there is an alternative to building the road. In April 1994, Caroline Jackson and I launched our campaign for upgrading the A350. We have been supported throughout by the district council and by local business, particularly by the West Wiltshire Association of Chambers of Commerce. I pay tribute to the work that the association has put into the project.

I am delighted to say that the plan has won not only enthusiastic support, but active backing and encouragement from Wiltshire county council.

Mr. Don Foster (Bath): I am sure that the hon. Gentleman is well aware of the considerable concerns in my constituency about the many vehicles looking for a north-south route, which currently must come into the centre of Bath and then out, raising pollution and congestion levels. He is right to say that the A36 uprade is not particularly popular. Is he prepared to add to his list of supporters not only myself, but very many of my constituents, who believe that the upgrading of the A350 would provide the much needed relief for the north-south route?

Mr. Faber: I am very grateful to the hon. Gentleman, first, for the brevity of his intervention in comparison with the earlier intervention of the hon. Member for Newbury (Mr. Rendel). Secondly, and more seriously, I am very grateful for his comments.

I said that I do not believe that, as currently planned, the A36 would provide relief for Bath. I shall present some specific ideas shortly for upgrading the A350 from the the M4 at Chippenham down to Warminster. I believe that much of the heavy traffic that uses the M4 and currently looks for alternative routes would use that new route. So I am very grateful to the hon. Member for Bath (Mr. Foster) for his support, and I shall certainly ensure that people in west Wiltshire are aware of his and his constituents' support.

The A350 runs south from junction 17 of the M4, at Chippenham, through the economic corridor that comprises the towns in north and west Wiltshire in my constituency. For the purpose of the debate, I am specifically interested in the section of road that runs between the M4 and Warminster, where the A36 subsequently joins the A350, and the two roads continue down to the south coast ports.

For those who live and work in west Wiltshire, the A350 is not just a route running through, as the A36 would do. It is a transport corridor linking towns that already function closely as a single economy. I believe that the case for upgrading the section of road in question can be made on traffic grounds alone.

Using the junction with the M4, as the hon. Member for Bath (Mr. Foster) rightly said, the A350 provides links for west Wiltshire with Swindon and Bristol locally, and further afield with London, south Wales and the west midlands. At present, traffic flows between the M4 and Chippenham run at about 22,000 vehicles a day, and south of Semington, which is just south of Melksham, at 12,000 vehicles a day. North of the M4 and south of Warminster, the flows are only half those levels. For instance, the Warminster bypass takes on average 10,300 vehicles a day.

I hope that those figures will allay the fears of people who live south of Warminster, especially in north Dorset, who fear that the proposals may be aimed at embracing them, too. It is clear that the need for improvement is on the stretch between the M4 and Warminster, both on traffic grounds and on grounds of economic regeneration. The route is now overloaded, with serious congestion at peak hours and bottlenecks at Chippenham, Melksham, Semington, Yarnbrook and Westbury, to name but a few.

Traffic growth in Wiltshire has been above the national average for the past 10 years, and is expected to rise further. Indeed, the county council currently forecasts that traffic volumes will have risen by between 77 and 106 per cent. by the year 2025. In the past three years, there have also been more than 300 accidents involving personal injury on that stretch of road. Unfortunately, I witnessed the aftermath of one especially dreadful accident myself, and I have heard about and received letters about many others.

Given that increase of traffic through our market towns and villages, the case for upgrading can be made on traffic, environmental and safety grounds. In complete contrast to the new-build proposals for the A36, a great deal of the route can be upgraded on line. Where it is necessary to go off line, that will be primarily to build bypasses that go round towns and villages.

I have no doubt that, by taking traffic, especially heavy goods vehicles, away from town centres, those bypasses will reduce congestion. They will bring about a vast improvement in the environment within the towns, both

[Mr. Faber]

for residents and for visitors. Congestion, noise and pollution will all be reduced. Above all, there will be fewer appalling accidents on the road.

I mentioned earlier the support of my right hon. Friend the Minister of State, Northern Ireland Office, the right hon. Member for Devizes. Although his constituency is east of mine, the traffic that builds up in Devizes, as well as in villages such as Seend and even further afield in places such as Marlborough, is a direct result of the inadequacy of the current A350 running from north to south.

Nowhere is the need for upgrading more evident than in the town of Westbury. So I was somewhat surprised to read in my local paper last week that the county councillor for Westbury had said:

"I am concerned that any bypass for Westbury might kill the town.

Westbury has more than 30 per cent. of its shops empty, business is being lost and unemployment rising. The road may bring success but the chances of failure are there just as evidently."

I must say that that councillor's experience is totally different from mine. I have been bombarded over the past four years with letters from all parts of the town seeking the long-awaited bypass. Indeed, I rather agree with the comments in a letter that I received yesterday from the chairman of a local parish council:

"We who live in Westbury and the surrounding villages are fully aware of the traffic problems that plague our lives.

Westbury town centre is dying. The amount of traffic along the Warminster Road prohibits customers from getting to the shops, and they, like many other shops in the area have closed."

Not only will the new road bring added investment to the area, but it will boost economic regeneration and enable local people to shop and walk in their town within being knocked over, or even, as in some tragic cases, killed.

That brings me to the third and most powerful case for upgrading the route—economic regeneration. I have already paid tribute to the work of the West Wiltshire Association of Chambers of Commerce, and to West Wiltshire district council. Those two organisations have produced a joint document and been instrumental in pushing for the upgrading of the route. The title of their document speaks for itself: "A350—Lifeline for local prosperity". Wiltshire county council has also recently added its support, and it produced its own excellent document this week.

In recent years, the economy of west Wiltshire has been badly affected by recession. In addition, we have seen restructuring in many of our traditional industries, most notably food processing and engineering. Like north Wiltshire, we have also seen contracting affecting some of our important defence and defence-related employment. Historically, some towns may have been over-dependent on one or two large employers, and have suffered accordingly.

Above all, we have been at a crucial disadvantage in attracting new inward investment to replace the lost jobs. Business men and local government officers have numerous stories of would-be investors who have made the trip, but have given up north of Melksham because they simply have not been able to get into the district. Two years ago, we had to watch as Tesco chose to relocate its Westbury distribution centre in south Wales, largely because of our lack of a road infrastructure—and that is just one example of many.

The Warminster travel-to-work area has an unemployment rate of 7.5 per cent., and Trowbridge a rate of 6.4 per cent. I welcome the many new jobs that have been created, but those are still among the highest rates in the county. Chippenham, Trowbridge and Warminster each have a daily net outflux of commuters going to work in Swindon, Bath and Bristol, and the trend is increasing. It has increased threefold since 1981, compared with a county increase of only 58 per cent. As Swindon continues to grow, the net out-commuting will continue, unless the increasing inaccessibility of the area is halted.

In west Wiltshire, we want to enjoy the benefits of economic recovery, as others are doing, so I hope that what I have said about economic regeneration will carry weight with the Minister.

At the outset I mentioned that I warmly welcomed the shift of emphasis in Wiltshire county council, which is now wholly supportive. The council has identified nine distinct sections along the route that need varying degrees of work, much of which can be done on line. Some of the road already exists to a satisfactory standard, and, as I have already said, when work has to go off line, that will be principally for the purpose of building bypasses.

Of those nine sectors, I shall concentrate on three priority areas. The first is the Chippenham western bypass, which has already been partially built, although the results of last November's public inquiry are still awaited. As my hon. Friend the Minister will know, a bid was made this year for transport supplementary grant for the road to be completed, but sadly we were unsuccessful. Both my right hon. Friend the Member for North Wiltshire and I hope that my hon. Friend will look favourably on this year's new bid for 1997-98, so that the important first link of the road can be completed.

In addition, I understand that the work is to be the subject of a bid to the newly announced capital challenge scheme. I understand too that the Government office for the south-west has encouraged Wiltshire county council to bid. Despite some limitation on the scale of the regional allocation, I should be grateful if my hon. Friend the Minister would pass on to our colleagues at the Department of the Environment the message about the support of both my right hon. Friend the Member for North Wiltshire and myself for the bid.

Secondly, the Semington-Melksham link, as it has become known, is included in the draft structure plan, and went out to public consultation in March. The results of that consultation are currently being analysed, and that section is regarded as the second most important priority after Chippenham.

Thirdly, as I have already said, Westbury's traffic problems require long-term solution by means of a bypass. In the longer term, three possible routes are being considered. In the short term, to help with economic regeneration, Wiltshire county council has planned the so-called Hawkeridge link scheme, to provide improved access to the popular and successful west Wiltshire trading estate.

The Hawkeridge link is the immediate priority for the county council, which is also currently in discussion with the Government office for the south-west in preparation

for a bid to the single regeneration fund in an effort to regenerate the town. Again, I put on the record my support for that bid.

Finally, I shall examine one other possible source of funding—the private finance initiative. In west Wiltshire, we are already beneficiaries of the PFI. We have had much-needed improvements to the A36 south of Warminster, between Heytesbury and Codford, which have been carried out as a DBFO—design, build, finance, operate—initiative. The work will be carried out well ahead of the schedule that was previously hoped for.

May I push my hon. Friend to say whether, at any time in the near future, we are likely to see a relaxation in the rules governing the PFI and local authorities? I believe that it is time for the Government to give the go-ahead for local authority schemes, as well as trunk road projects, to benefit from the PFI.

Wiltshire county council's document rightly highlights the possibility of attracting private finance under a DBFO scheme for all or part of the A350. The council has an ambitious proposal for a single PFI scheme to complete the building of the Chippenham bypass, to design and build the Semington-Melksham link, and eventually to design and build the Westbury bypass too. It may sound optimistic to talk about carrying out such an ambitious project all in one go. It may seem a long way away tonight, but we need the go-ahead in due course from my hon. Friend, so that we can consider the possibility.

The Government have already moved a long way in their reassessment of the A36, and I encourage my hon. Friend to go that little bit further this evening. The economies of north and west Wiltshire need to be encouraged if we are to exploit the many opportunities that are there for us. One of the most important ways of exploiting those opportunities and of attracting the inward investment we need is to improve the current road network. I hope that my hon. Friend will indicate his support this evening for the plans that I have laid out to upgrade the A350 between the M4 and Warminster.

7.59 pm

The Minister for Railways and Roads (Mr. John Watts): I am grateful to my hon. Friend the Member for Westbury (Mr. Faber) for the opportunity to discuss the important subject of road improvements in Wiltshire, and to have the opportunity to explain my Department's strategy.

It has long been recognised that the road connections between the south coast ports—principally Southampton and Portsmouth—and the M4 require improvements so that they may cope adequately with the volume of traffic, particularly heavy goods traffic, that use them. Completion of the M4 and M5 motorways in the early 1970s led to a reassessment of the role of the old established trunk roads in the area, and many were de-trunked as a result. However, studies in the 1970s concluded that the most satisfactory way of meeting road transport needs on the north-south axis would be to make improvements along the general line of the A36-A46 corridor.

The execution of that strategy is already well advanced, with a number of bypasses already built. Beckington, Warminster, Codford and Heytesbury already have bypasses, and I shall have the pleasure of opening the Batheaston and Swainswick bypass next week, which will be a further important step towards achieving our long-term strategy.

We intend to pursue other schemes to improve further that corridor, including the Salisbury bypass, subject, of course, to completion of its statutory procedures—the inspector's report is currently being considered by my right hon. Friends the Secretarys of State for the Environment and for Transport—and the Codford and Heytesbury Improvement, to which my hon. Friend referred.

As my hon. Friend pointed out, in the review last year, we placed the east of Bath to Beckington scheme, as well as the Wylye to Codford Improvement, in our longer-term programme. We will bring those schemes forward into the main programme when funding permits.

The east of Bath to Beckington scheme will bypass Bradford on Avon and link the Batheaston and Beckington bypasses. I note what my hon. Friend said about its cost and environmental effects. Indeed, I looked at the scheme carefully during the review, and clearly there are some difficult environmental issues to be addressed. The problem is that the existing route—the other side of the river valley—also has significant and severe environmental impacts. The current position is that the line of the route is protected. I felt it right to ensure that the preferred route was clear, to minimise the blighting effects that would otherwise arise.

However, the scale of the road can be considered again before it is brought into the main programme. As I cannot at this stage predict when we will have made enough progress with the existing main programme to consider advancing schemes that are in the long-term programme at present, it would be premature to make any firm decisions on the scale of the road. I know that my hon. Friend has argued persuasively that a smaller scale than that proposed might well reduce some of the environmental concerns that he and others had adduced.

From time to time, the proposition has been made that the A350 should be designated as the main north-south route in this part of the world for long-distance through traffic, and should therefore be improved instead of the A46 and A36. That was debated most recently at the public inquiry into the Batheaston and Swainswick bypass.

In his report on that inquiry, the inspector concluded that, since much of the traffic on the A36 and A46 had an origin or destination local to Bath, it could not be expected to use an improved A350. Therefore, north-south traffic capacity on the A36-A46 corridor would have to be increased regardless of what happened to the A350.

My right hon. Friend the Secretary of State for Transport has a duty to keep the trunk road network under review, and we look regularly at both the network of trunk roads and motorways and the schemes in the programme to provide improvements. We have looked on a number of occasions at whether the current network is the right one. I have to say that, thus far, we have concluded that the balance remains in favour of the A46-A36 as the trunk road. We therefore have no plans to alter the shape of the trunk road network in Wiltshire at present.

I now come to my hon. Friend's questions about how the A350 to the north of Warminster might be improved. I have already said that we do not intend to alter the status of the A350 to a trunk road, so plans to improve it will

[Mr. John Watts]

remain a matter for the local highway authority, Wiltshire county council. I recognise, of course, that the improvements of which he has spoken would be expensive, and that the local authority will be looking to central Government to provide at least some of the funding.

I should also say that the county council is already aware of the importance of obtaining whatever funding might be available from developers that stand to gain from any improvements. That fits in clearly with what my hon. Friend said about the potential of this road to unlock economic regeneration opportunities. That has already been amply demonstrated at Chippenham, where a substantial start has already been made on its bypass, with funding provided by developers.

The main source of capital funding from central Government for local authority road schemes is, of course, transport supplementary grant. Over the years, a large number of important road improvements throughout England have been funded in this way. Local authorities have been able to construct bypasses and improvements of roads that are of local strategic importance, using TSG funding.

There are many examples of that in the south-west. My hon. Friend will be aware that TSG has already funded some improvements to the A350—the Biss Bottom bypass north of Warminster, for example, which was opened in 1993, and further south the East Knoyle bypass, which was completed and opened to traffic quite recently. He mentioned a number of other schemes that the county council is planning.

The Chippenham bypass was the county council's top priority bid for TSG in the last bidding round. However, in view of the fact that the scheme had not completed its statutory planning procedures, and resources for TSG were extremely hard-pressed, we were not able to allocate any of the scarce funds to it on that occasion. The county council may wish to seek TSG funding for the Chippenham bypass again this year, and we will consider any such bid very carefully.

I should stress, however, that TSG funding is limited, and local authorities must recognise that few schemes will be accepted for expenditure each year. A very expensive strategy to upgrade a substantial length of road such as the A350 must therefore be regarded as a long-term project if it is to be funded solely from TSG.

My hon. Friend asked about the possibility of funding being secured from alternative sources, such as the capital challenge fund, the single regeneration budget and the private finance initiative. He may be aware that the Government announced on 15 May that we are proceeding with proposals for a pilot capital challenge fund to explore how best the challenge concept can be brought to bear on the determination of the distribution of Government support for local authorities' capital spending.

The aim of the pilot scheme is to test the applicability of the challenge approach to any and all aspects of capital spending across all services for which local authorities are responsible. Authorities have been invited to bid for their highest capital spending priorities drawn from their overall capital spending plans. Some £600 million is available to local authorities in England under the pilot scheme.

It is therefore open to Wiltshire's local authorities to decide whether to submit bids under the capital challenge pilot scheme for capital funding to build improvements to the A350. If they do, Ministers will, of course, consider any such bids very carefully. Local authorities have also been provided with guidance on the submission of bids, and they are encouraged to discuss any prospective bids with officials from the Government office.

My hon. Friend asked whether the single regeneration budget might be a source from which funding could be sought for improvements to the A350. He will probably be aware that the single regeneration budget provides flexible support for local initiatives by bringing together existing regeneration programmes from five Government Departments.

That does not, however, include my own, and I can only advise Wiltshire county council to discuss any plans it might have to bid for money from the single regeneration budget challenge fund with officials from the Government office for the south-west as soon as possible. I am aware that the county council has submitted the outline of a bid in respect of Westbury, which includes the construction of a link road to the A350, but not an improvement of the A350 itself.

Turning to the question of private finance, my hon Friend may already be aware that the Government intend to amend the capital finance regulations to remove obstacles to local authority private finance schemes. My right hon. Friend the Minister for Local Government, Housing and Urban Regeneration intends to consult on possible provisions for capital finance regulations, and will lay them before the House in time for them to come into effect in the autumn. It will then be for the county council to consider whether it should seek to use the new powers for its own design, build, finance and operate deal.

Any local authority seeking to build a road scheme by the private finance route would, of course, still have to obtain the necessary statutory planning and land acquisition powers. My Department is making its considerable expertise in DBFO contracts available to the Department of the Environment to assist in the preparation of any such bids.

Although my hon. Friend will be disappointed that I have not grabbed with alacrity his initial suggestion that I should drop plans for further improvement on the A36-A46 corridor, and adopt the A350 as a trunk road, I hope that I have given him some pointers to ways in which the local highway authority might be able to take forward the improvements that it and my hon. Friend consider would be of value to that area of Wiltshire.

Question put and agreed to.

Adjourned accordingly at ten minutes past Eight o'clock.

Written Answers to Questions

Monday 24 June 1996

TREASURY

Marriage Certificates

Mr. Alton: To ask the Chancellor of the Exchequer what is the procedure and whose is the responsibility for deciding the terms and the content of the marriage certificate. [33916]

Mrs. Angela Knight: A marriage certificate is a copy of an entry in a marriage register. The form and content of a marriage entry is prescribed by the Registration of Marriages Regulations 1986. These were made by the Registrar General with the approval of the responsible Minister. With the creation on 1 April of the Office for National Statistics, Treasury Ministers approve all regulations made under the Marriage Acts.

Dewsbury Tax Office

Mrs. Ann Taylor: To ask the Chancellor of the Exchequer what is the estimated annual cost of keeping the Dewsbury tax office open. [33628]

Mr. Jack *[holding answer 20 June 1996]:* The current annual running costs of Dewsbury tax office are £1,412,092.

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts, Kidsgrove

Ms Walley: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the need to retain magistrates courts in Kidsgrove; what implications there are for north Staffordshire residents arising from reorganisation of Kidsgrove and other magistrates courts; what arrangements have been made for consultation; and if he will make a statement. [33251]

Mr. Streeter: Magistrates courts are provided by the local paying authority for the use of the magistrates courts committee. It is for the MCC to determine the need to retain a courthouse. If an MCC to decides to close a courthouse the paying authority may appeal to the Lord Chancellor against the proposed closure. That is the only time my Department is informed of, or involved in, a magistrates courts closure.

No decision has been made by the Staffordshire MCC to close or merge any magistrates courts at this time.

EDUCATION AND EMPLOYMENT

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment what was the cost in each of the past five years of rectifying working conditions that were the responsibility of her Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33463]

Mr. Robin Squire: Remedial work is carried out continually as part of an on-going maintenance programme. It is not possible to extract the cost of health and safety-related work from general maintenance and refurbishment costs.

Mr. McCartney: To ask the Secretary of State for Education and Employment how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in her Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33461]

Mr. Squire: The following table details DfEE headquarters, outstations and the Employment Service accident report statistics for the last five years. Separate information technology-related accident statistics are not available for the Employment Service.

Accident statistics		*Severity of injury*				
Year	*DfEE HO and ES including outstations*	*Minor*	*Major*	*Fatal*	*Total*	*IT related*
1991–92	DfEE HO	[1]126	4	Nil	130	1
1991	ES		Not available			n/a
1992–93	DfEE HO	[1]184	1	Nil	185	7
1992	ES	2,102	23	Nil	2,125	n/a
1993–94	DfEE HO	[1]232	2	Nil	234	8
1993	ES	2,021	13	Nil	2,034	n/a
1994–95	DfEE HO	[1]223	0	Nil	223	6
1994	ES	1,486	5	Nil	1,491	n/a
1995–96	DfEE HO	[1]179	0	Nil	179	6
1995	ES	1,624	8	Nil	1,632	n/a
Total		[1]8,177	64	Nil	8,241	28

[1] Includes IT related accidents.

Mr. McCartney: To ask the Secretary of State for Education and Employment what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of her Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33462]

Mr. Squire: Information is not available in the form requested. Compensation payments to former Employment Department staff, including Employment Service staff and to members of the public by the former Employment Department were as follows:

1991–92: £15,815
1992–93: £11,464
1993–94: £51,385
1994–95: £2,824
1995–96: 14,053

None of the payments stemmed from incidents involving information technology. Five of the cases involved compensation payments of over £5,000. Information relating to the former Department for Education was not recorded in a form which would enable compensation payments for personal injury to be identified.

Mr. McCartney: To ask the Secretary of State for Education and Employment on who many occasions in each of the past five years health and safety problems in her Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33460]

Mr. Squire: Health and safety problems are addressed through our internal monitoring procedures as they arise, but no central records of improvements or upgrades are maintained. The procedures involve health and safety inspections, audits and risk assessments.

There was one incident during the past five years; a health and safety inspector visited the site to investigate and concluded that no blame should be attributed to the Department.

School Funding

Mr. Blunkett: To ask the Secretary of State for Education and Employment what funding is provided by her Department to assist *(a)* local education authority-maintained and *(b)* grant-maintained schools which have been recently inspected by the Office for Standards in Education; and, in each case, what requirements govern how this may be spent. [33743]

Mr. Robin Squire: I refer to the hon. Member to the answer I gave to him on 10 June 1996, *Official Report*, column *51*.

Student Grants

Mr. Wigley: To ask the Secretary of State for Education and Employment if she will make it her policy to increase the grants available to students undertaking medical and dental degrees at universities in the United Kingdom to take account of the greater length of their degree courses. [34001]

Mr. Forth: Students whose academic year is longer than usual are already eligible for an extra week's attendance allowance as part of their means-tested mandatory award.

The awards regulations for 1996–97 academic year are made and there are no plans to change the grant rates.

Mr. Steinberg: To ask the Secretary of State for Education and Employment what is the average cost of the administration of each student grant. [34254]

Mr. Forth: The information requested is not collected centrally.

Apprenticeships

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many young people are at present pursuing traditional apprenticeships. [33912]

Mr. Paice: In winter 1995–96 150,000 young people aged 16 to 24 in Great Britain were doing a recognised trade apprenticeship.

Mr. Sheerman: To ask the Secretary of State for Education and Employment what has been the annual cost of the new apprenticeship programme since its inception. [33865]

Mr. Paice: Modern apprenticeships were launched on a pilot basis in England in 1994–95. The Department's spend for that year was £0.897 million. Provisional outturn for 1995–96, the first year of the national initiative, is £14.777 million.

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many young people are currently pursuing the new apprenticeships. [33911]

Mr. Paice: As at March 1996, there were 26,100 people on modern apprenticeships in Great Britain.

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many traditional apprenticeships were completed in each year since 1985. [33913]

Mr. Paice: The information is not available. Data on the number of people doing a recognised trade apprenticeship each year are published in table F4 of "Training Statistics 1995".

Forum on Values

Mr. Key: To ask the Secretary of State for Education and Employment if she will list the names and organisations of the members of the Schools Curriculum and Assessment Authority's national forum on values. [33262]

Mr. Paice: The members of the forum are listed as follows, together with the organisation or interest that they represent:

	Organisation/interest
Joyce Mackley	Christian Education Movement
Rosemary Peacocke	Culham Institute
Jonathan Gorsky	Council of Christians and Jews
Anne Holt	Christian Action Research and Education
Janet Ward	National Family Mediation
Gregory Cameron	The Bloxham Project
Jan Laithwaite	RELATE
Andrew Simpson	Royal Society for the Protection of Birds

	Organisation/interest
Dilip Kadodwala	National Association of SACREs
Anthony Thomas	Council for Environmental Education
David Bothwell	British Humanist Association
Gill Lenderyou	Sex Education Forum
Liz Cowley	National Children's Bureau
Snehlata Shah	Council for Education in World Citizenship
Vivienne Cato	REEP
Gwen Palmer	Religious Education Council
Bob Tutton	British Humanist Association
David Hay	Nottingham University
John Hull	Birmingham University
Lynne Scholefield	St. Mary's Strawberry Hill
Mark Halstead	Plymouth University
Madeleine Arnot	Cambridge University
Jack Hogbin	Manchester Metropolitan University
Mark Chater	Bishop Grosseteste College
Brenda Harding	Lancaster University
Mike Bottery	Hull University
James Arthur	Canterbury Christ Church College
Marion Carter	SS Mark and John College Plymouth
Jack Priestly	Westhill College
Robert Fisher	Brunel University
Rosemary Laidlaw	Scarborough University
Marianne Talbot	Oxford University
Clive Ericker	Chichester Institute of Higher Education
Paul Wotton	Metropolitan Police
Norman Lloyd	Crime Concern
Anne Fuller	Magistrates Association
Kamaljit Rana	Magistrates Association
Don Rowe	Citizenship Foundation
Alan Dyer	Former Chief Constable
Rachel Hodgkin	Gulbenkian Commission on Children and Violence
Gerison Landsdowne	Childrens' Rights Office
Ralph Jackman	Lawyer
Jessica Newton	Lawyer
Steve Ball	BBC Education
Margaret Holness	Church Times
Geoff Marshall Taylor	BBC Schools
Annabel Miller	The Tablet
Robin Moss	ITV Education
John O'Leary	The Times
Nicholas Pyke	Times Educational Supplement
Ahmed Versi	Muslim News
Hadrian Southorn	National Association of Governors and Managers
John Lewis	National Association of Governors and Managers
Karin Pappenheim	National Council for One Parent Families
Belinda Yaxley	National Confederation of Parent/Teacher Associations
Francis Gee	Campaign for State Education
Mary Blake	Campaign for State Education
Parvez Butt	National Governors Council
Jack Morrish	National Governors Council
Valerie Bennet	Parent
Kathryn Kukiewiez	Parent
Mike Tyler	Parent
Carol Dadswell	Parent
Gwen Sheppard	Parent
Giuliana Orme	London Marriage Guidance Council
Geoffrey Duncan	Church of England
Musharaf Hussain	Islam
Emmanuel Levy	Judaism
Vincent Nichols	Catholic
Abdul Aziz	Islam
Alan Brown	Church of England
Joy Leitch	Free Church Federal Council
John Shortt	Association of Christian Teachers
Gillian Crowe	Russian Orthodox
Deepak Naik	Hindu
Margaret Smart	Catholic
Monica Taylor	National Foundation for Educational Research
Leslie Francis	Trinity College Carmarthen
Peter Lang	Warwick University
Andrew Marfleet	Cambridge Institute of Education
Graham Haydon	London Institute of Education
David Rowse	University of Central England
Jo Cairns	London Institute of Education
Brian Crissel	Researcher
Glenys Woods	Open University
Rosalie Osmond	Researcher
Jasper Ungoed-Thomas	Researcher
David Wood	Independent Schools Association Incorporated
Ros Bailey	Association of Teachers and Lecturers
Eber Kington	Association of Teachers and Lecturers
Harry Matthews	Incorporated Association of Preparatory Schools
Peter Jackson	Headmasters Conference
Pat Brown	National Union of Teachers
Avril Buckley	National Union of Teachers
Carole Whitty	National Association of Head Teachers
Maggie Angele	National Association of Head Teachers
Janet Martin	Professional Association of Teachers
Amanda Haenber	National Association of Schoolmasters/Union of Women Teachers
Clare Taylor	National Association of Schoolmasters/Union of Women Teachers
Kate Manning	Girls' School Association
Jeremy Taylor	Professional Council for Religious Education
Barbara Turner	Teacher
Michael Marland	Head Teacher
Ian Pearce	Business in the Community
Keith Ajegbo	Business in the Community
Ann Bailey	Engineering Employers Federation
Sarah Permann	Trades Union Congress
Lorraine Spector	Jewish Association for Business Ethics
Paul Rosenstein	Jewish Association for Business Ethics
Kenneth Adams	Camino Foundation
Stanley Kiaer	Institute of Business Ethics
Hilary Metcalf	Policy Studies Institute
Desmond Boyle	Institute of Directors
Adrain Platt	The Sedgwick Group
Max Taylor	Consultant
David Matthews	Consultant
Ron Davies	National Youth Agency
Eli Anderson	National Youth Agency
Clare Sanders	National Youth Agency
Jane Boyce	National Youth Agency
Sarah Venables	Top Yard Afro Caribbean Youth Association
Fiona Marsden	The Kite Club
Jane Lewis	Guides Association
Chris Curtis	Luton Churches Education Trust
Nick Pollard	Solent Christian Trust
John Buckeridge	Youth Work Magazine
Phil Wall	Salvation Army
Bob Mayo	Lambeth Palace Youth Work
Graham Mungeam	Oasis Trust

There are also observers from the Department for Education and Employment, the Office for Standards in Education and the Teacher Training Agency.

Employment Service

Ms Coffey: To ask the Secretary of State for Education and Employment if it is her policy that the Employment Service should not become a member of the Opportunity 2000 initiative. [34013]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Ms Ann Coffey, dated 24 June 1996:

The Secretary of State has asked me to reply to your question about the Employment Service's membership of Opportunity 2000 initiative. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The Department for Education and Employment's membership of Opportunity 2000 includes the Employment Service.

Lifetime Learning

Lady Olga Maitland: To ask the Secretary of State for Education and Employment what plans she has for encouraging lifetime learning; and if she will make a statement. [34567]

Mr. Paice: All the respondents to the consultation confirmed the importance of lifetime learning to the economic success and competitiveness of business and individuals. They recognised that a great deal of progress has been made, but that there is still more to be done by all those involved. My right hon. Friend is publishing today a policy framework for the development of lifetime learning and placing a copy in the Library. The key elements of the framework are:

employers investing in the training and development of employees;

gaining the commitment of individuals to learning;

improving access to learning;

giving people of all ages the opportunity to acquire the basic skills on which to build further learning;

developing effective partnerships nationally and locally to give practical effect to shared responsibility and to make the best use of resources.

I believe that the document sets out a framework of policy within which action by Government, in conjunction with other parties, will help towards achieving the long-term goal of a culture of lifetime learning for all.

Judicial Review

Ms Hodge: To ask the Secretary of State for Education and Employment how many decisions by her Department were challenged by way of judicial review in each Session since 1991–92; and if she will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33567]

Mr. Robin Squire *[holding answer 19 June 1996]:* The following cases are those in which the decisions by the Department for Education and Employment, and former Departments in the exercise of the functions of the current Deaprtment for Education and Employment, were challenged by way of judicial review since April 1992.

(a) The decision of the relevant Department was upheld by the Court in the following 11 cases:

1. R *v.* Secretary of State for Education Ex parte London Borough of Lewisham

4 December 1992

2. R *v.* Secretary of State for Education Ex parte London Borough of Southwark

24 January 1993

3. R *v.* Secretary of State for Education and the Governing Body of the Queen Elizabeth Grammar School Ex parte Cumbria County Council

2 July 1993

4. R *v.* Northampton Education Department and Secretary of State for Education Ex parte Kingsbury

1st instance (decision upheld) 14 July 1993

Court of Appeal (appeal dismissed) 23 July 1993

5. R *v.* Secretary of State for Eduation Ex parte G—6 July 1994.

6. R *v.* Secretary of State for Education Ex parte C—8 February 1995

7. R *v.* Secretary of State for Employment and another Ex parte Wong

29 June 1995

8. R *v.* Secretary of State for Education Ex parte Morris and others—21 December 1995.

9. R *v.* Secretary of State for Education Ex parte Norfolk—1996

10. R *v.* Secretary of State for Education Ex parte N—1996

11. R *v.* Secretary of State for Education Ex parte Connon and Davis

26 April 1996

(b) The court found for the applicant in the following 9 cases, two of which were reversed on appeal:

1. Secretary of State for Education and Science Ex parte Yusuf Islam

15 May 1992

2. Secretary of State for Education Ex parte Prior 21 December 1993

3. R *v.* Secretary of State for Education Ex parte S—21 December 1993 but overturned in Court of Appeal 15 July 1994

4. R *v.* Secretary of State for Education Ex parte C—quashed by consent 1994

5. R *v.* Secretary of State for Employment Ex parte EOC House of Lords 3 March 1994

6. R *v.* Secretary of State for Education Ex parte W—27 May 1994

7. R *v.* Secretary of State for Education Ex parte Skitt— 12 April 1995

8. R *v.* Secretary of State for Employment Ex parte Seymour-Smith and another

Decision upheld at 1st instance but overturned in Court of Appeal 20 May 1994

9. R *v.* Secretary of State for Education Ex parte E—21 June 1995

(c) The Deaprtment is aware of one case, R v Secretary of State for Education Ex parte C, in which it submitted to judgment.

(d) The Department appealed successfully against the judicial review decision in two of the cases listed:

1. Secretary of State for Education Ex parte Seymour-Smith and Another

2. Secretary of State for Education Ex parte S.

NATIONAL HERITAGE

National Lottery

Mr. Couchman: To ask the Secretary of State for National Heritage what are her plans for the development of policy on the distribution of lottery proceeds. [34571]

Mrs. Virginia Bottomley: I am writing today to the chairmen of the United Kingdom and English lottery distributing bodies to consult them on a change to the policy directions issued to the Arts Council of England under section 26(1) of the National Lottery etc. Act 1993. The proposed stabilisation programme would allow an amount of revenue funding to help arts organisations gain long-term financial viability in a way which would not substitute for existing grant in aid.

The stabilisation programme will aim to help arts organisations consider and in some cases change their objectives and the markets within which they operate; inject new creative, technical and managerial skills into the organisation to help them achieve their objectives; provide balance sheet stability; and deliver better value for money.

This is likely to be a technically complex programme. The Arts Council of England therefore proposes first to run a pilot to determine the best way in which a full stabilisation programme should work. The pilot will involve a sufficient number and range of arts organisations to enable the principle of the programme to be tested. The pilot will seek to identify whether the stabilisation programme could apply to the whole of arts provision across a single local authority area, and whether it could apply to a whole sector within the arts in addition to individual organisations. The pilot will also seek to identify the most appropriate administrative structure for managing the full stabilisation programme.

Financial instability is not unique to arts organisations. Heritage and sports organisations might also benefit from some form of mechanism to address financial and managerial problems. The Government will consider whether to introduce changes for the English Sports Council, once established, and the National Heritage Memorial Fund if such changes would meet the particular needs of those sectors. My colleagues will be consulting the chairmen of the Arts and Sports Councils in Scotland, Wales and Northern Ireland about the proposed direction and will consider in due course whether changes to the policy directions for those bodies should also be made.

The consultation which I have launched will last until 25 July. I will then consider the responses to the consultation process, with a view to announcing any change to the directions during August.

Mr. David Shaw: To ask the Secretary of State for National Heritage how many grants and how much money have been awarded by the National Lottery Charities Board to organisations *(a)* the title of which and *(b)* one of the main objectives of which makes reference to sexual orientation; and if she will list those organisations and the amount of grant awarded to each. [33047]

Mr. Sproat: The National Lottery Charities Board is responsible for decisions on grants awarded and information about them. I have therefore asked the chief executive of the board to write to my hon. Friend, placing copies of his response in the Libraries of the House.

TRADE AND INDUSTRY

Coal Authority (Assets)

Mr. Trickett: To ask the President of the Board of Trade which assets remain in public ownership at the Coal Authority; and what is their value. [33713]

Mr. Page: The assets of the Coal Authority are described in its annual report and accounts 1994–95, a copy of which is in the Library of the House. Notes 11 and 12 to the accounts give a breakdown of the value of the authority's investment properties and other tangible fixed assets. The authority's annual report and accounts 1995–96 will be published in July.

Uranium

Mr. Macdonald: To ask the President of the Board of Trade what discussions have been held, or are planned to be held, with German officials, regarding the supply of highly enriched uranium from Britain to Germany. [33778]

Mr. Page: United Kingdom Atomic Energy Authority staff and DTI officials have participated in a number of discussions with German officials about the possible supply of HEU from existing UKAEA resources under EURATOM auspices. These discussions are continuing.

Industrial Tribunals

Mr. Bill Michie: To ask the President of the Board of Trade what requirements are placed on members of industrial tribunal panels to declare *(a)* religious and political affiliations, *(b)* membership of masonic or similar orders and *(c)* membership of other organisations which could appear to influence their decisions. [33850]

Mr. John M. Taylor: None. However, under the terms of their instrument of appointment lay members must not sit to hear a case if there is any reasons known to them that might give rise to doubt as to their impartiality, or to the appearance of their impartiality, and must resign if they are adopted as prospective candidates for election to the United Kingdom or European Parliaments.

Offshore Oil Installations

Mr. Llew Smith: To ask the President of the Board of Trade what continuing responsibility owners of offshore oil installations have for their maintenance and safety after closure; and over what period of time. [33914]

Mr. Eggar: If an abandonment programme under the Petroleum Act 1987 proposes that an offshore oil installation be left in position or not wholly removed, it must include provision as to any continuing maintenance that may be necessary.

Under the Health and Safety at Work etc. Act 1974 there may also be a continuing responsibility in relation to the health and safety of personnel who may have occasion to carry out work at the site.

Film Distribution

Mr. David Nicholson: To ask the President of the Board of Trade (1) when he expects to reach a decision on the Office of Fair Trading recommendations on the distribution of films within the United Kingdom; [34109]

(2) what representations he has received *(a)* from the Cinema Exhibitors Association, *(b)* from hon. Members and *(c)* from the public, regarding minimum booking time as a condition of supply by distributors to cinema exhibition, with particular reference to smaller-scale cinema operations; and if he will make a statement. [34110]

Mr. John M. Taylor: My Department has received several representations from the Cinema Exhibitors Association regarding minimum exhibition periods. My Department is currently considering the advice of the Director General of Fair Trading on the distribution of films within the United Kingdom. A decision will be announced in due course.

Science and Research Expenditure

Mr. William O'Brien: To ask the President of the Board of Trade what his estimate is of the total amounts spent on science and research *(a)* in the United Kingdom and *(b)* in the Yorkshire region; and if he will make a statement. [32605]

Mr. Ian Taylor: The total gross expenditure on research and development in the UK in 1994—the latest year available—was £14,613 million, of which £552 million was spent in the Yorkshire and Humberside region. The comparable figures for 1993 were £13,829 million and £418 million respectively.

Head Office Transfers

Mr. Sheerman: To ask the President of the Board of Trade what estimate he has made of the impact on British competitiveness of British companies transferring their head offices overseas. [32623]

Mr. Nelson: None.

Civil Space Programme

Mr. Batiste: To ask the President of the Board of Trade if he will make a statement about progress in the review of Government policy on civil space. [34426]

Mr. Ian Taylor: I will be hosting the second space policy forum on 25 June at Queen Mary and Westfield College London. At the forum, the UK space community will consider a draft forward plan on space, which I have prepared, and copies of which I have today placed in the Library of the House.

I am also pleased to announce that additional UK Government funding is being provided for three European Space Agency programmes, namely £3.6 million for satellite navigation and £1.5 million for applications, both of these within the advanced research in telecommunications systems programme, and £2 million for the general support technology programme.

Traders (Serbia)

Mr. Campbell-Savours: To ask the President of the Board of Trade on what dates *(a)* Ministers and *(b)* representatives of his Department met representatives of Metta Trading Ltd. to discuss matters relating to imports and exports. [32317]

Mr. Oppenheim *[holding answer 17 June 1996]:* There has not been any such meeting between Ministers of my Department and representatives of Metalchem International Ltd. On 12 and 19 March 1993 and on 10 August 1993, as part of a programme of routine company visits, officials of my Department discussed the consequences of UK sanctions legislation with personnel of the company and its subsidiaries.

Mr. Campbell-Savours: To ask the President of the Board of Trade on what dates prior to July 1993 *(a)* Ministers and *(b)* departmental officials (i) corresponded with and (ii) discussed with Mr. Jovan Zebic or his representatives' compliance with United Kingdom legislation in respect of membership of the boards of Serbian-related companies or companies trading with Serbia. [32314]

Mr. Oppenheim *[holding answer 17 June 1996]:* There has not been any such correspondence between Ministers or officials of my Department and Mr. Jovan Zebic or his representatives, nor have any such discussions taken place. Between 29 April and 29 July 1993, officials of my Department corresponded with representatives of Tsvetmetexport, a Russian company, which at that time owned 49 per cent. of the shares of Metta Trading Ltd., of which Mr. Zebic was a director until his resignation on 29 July 1993.

Mr. Campbell-Savours: To ask the President of the Board of Trade on what date Ministers were first informed that Messrs Metalchem International and Metta Trading Ltd. were *(a)* owned by, *(b)* controlled by and *(c)* acting on behalf of Serbian interests. [32315]

Mr. Oppenheim *[holding answer 17 June 1996]:* A list of companies operating in the UK that constituted "persons connected with Serbia or Montenegro", as defined in the Serbia and Montenegro (United Nations Sanctions) Order 1992, formed the annexe to a submission to Ministers, dated 8 January 1993. Metalchem International Ltd. and Metta Trading Ltd. were among the 36 companies listed.

Mr. Campbell-Savours: To ask the President of the Board of Trade on what date his Department was first notified that *(a)* Metta Trading Ltd. and *(b)* companies acting as its agents or representatives had breached trade sanctions legislation. [32318]

Mr. Oppenheim *[holding answer 17 June 1996]:* My Department has not been notified of any alleged breach of sanctions by Metta Trading Ltd. or companies acting as their agents or representatives.

Mr. Campbell-Savours: To ask the President of the Board of Trade what assessment he has made of the compliance of Messrs P. J. Forbes with regulations governing restrictions on trade with Serbian-related interests. [32313]

Mr. Oppenheim *[holding answer 17 June 1996]:* None. The investigation and prosecution of alleged breaches of the sanctions on trade with Serbia and Montenegro is a matter for HM Customs and Excise, to whom any relevant information should be provided.

Mr. Campbell-Savours: To ask the President of the Board of Trade on what dates *(a)* Ministers and *(b)* representatives of his Department met representatives of Metalchem International Ltd. to discuss matters relating to imports and exports. [32316]

Mr. Oppenheim *[holding answer 17 June 1996]:* There has not been any such meeting between Ministers of my Department and representatives of Metalchem International Ltd. On 12 and 19 March 1993 and on 10 August 1993, as part of a programme of routine company visits, officials of my Department discussed the consequences of UK sanctions legislation with personnel of the company and its subsidiaries.

Judicial Review

Ms Hodge: To ask the President of the Board of Trade on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33594]

Mr. John M. Taylor *[holding answer 19 June 1996]:* No legislation has been introduced by the Department since 1991–92 with the purpose of removing the effects of judicial review decisions. The Employment Rights (Part-time Employees) Regulations 1995, SI 1995/31, is the only legislation which the Department introduced in order to implement a judicial review decision.

Ms Hodge: To ask the President of the Board of Trade how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33577]

Mr. Taylor *[holding answer 19 June 1996]:* Comprehensive records are not kept in the form requested. However, the Department has identified from readily available sources 27 decisions which were challenged by way of judicial review, as follows

1991—92: 3

1992–93: 5

1993–94; 3

1994–95: 5

1995–96: 11

The Department's decisions were upheld in 12 of the cases.

In the four cases in which the court found for the applicant, the Department submitted to the judgment in two of them, and successfully appealed against two.

Eleven cases either have been withdrawn or are not yet completed.

PRIME MINISTER

Berlin Bombing 1986

Sir Teddy Taylor: To ask the Prime Minister, pursuant to his answer of 18 June, *Official Report*, column *381*, if he will ask the west German authorities what progress they have made in their investigations of the Berlin bombing on 6 April 1986, and in particular, on what grounds they have now extradited a citizen of Lebanon to face charges relating to the bombing. [34014]

The Prime Minister: Investigation of the "La Belle" discotheque bombing is a matter for the German authorities. However, I understand that the Lebanese authorities extradited a Palestinian, Yassar Al-Shuraidi—alias Yousef Salam—to Germany on 23 May 1996 in connection with the bombing. He was working for the Libyan Peoples' Bureau in East Berlin at the time of the bombing.

Sir Teddy Taylor: To ask the Prime Minister pursuant to his answer of 18 June, *Official Report*, column *381*, if he will ask the US authorities for what reasons they refused to provide the west German authorities with the alleged evidence of Libyan responsibility for the Berlin bombing. [34015]

The Prime Minister: The United States authorities do not normally comment on evidence in a current investigation, especially if doing so might reveal sources and methods of collection, and risk compromising that investigation.

Sir Teddy Taylor: To ask the Prime Minister, pursuant to his answer of 18 June, *Official Report*, column *381*, if it remains the position of Her Majesty's Government that the responsibility for the Berlin bombing rests with Libya. [34016]

The Prime Minister: Yes.

Transsexuals

Mr. Alex Carlile: To ask the Prime Minister which Department and which Minister has been assigned overall responsibility for matters concerning the reform of the law as it affects transsexuals; and if he will make a statement. [34082]

The Prime Minister: The Government have not made any decisions to reform the law as it affects transsexuals, and no such responsibility has been assigned.

ENVIRONMENT

Lighting (Environmental Impact)

Mr. Tyler: To ask the Secretary of State for the Environment if the environmental impact of lighting associated with a proposed development is a material planning consideration; and what guidance the forthcoming revisions of planning policy guidance note 7 will give on this matter. [33996]

Mr. Robert B. Jones: The environmental impact of lighting associated with a proposed development can be a material planning consideration. The advice, in paragraph 31 of planning policy guidance note 17, "Sport and Recreation", on the use of conditions governing the operation of floodlights for sporting purposes, applies also to lighting for development for other purposes. We do not propose to give further guidance in PPG7.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for the Environment what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major

and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33478]

Sir Paul Beresford: The total cost of compensation paid by the Department of Environment, excluding its agencies, to employees, their families, or members of the public, as a result of injury was:

	£
1991–92	19,800
1992–93	11,412
1993–94	5,342
1994–95	21,940
1995–96	8,695
Total	67,189

The average annual cost was less than £13,500.

During this period there were no fatal injuries and none of the compensation payments related to incidents involving information technology. Two individual claims were settled at over £5,000: one in 1992, for £8,400, involving someone who had tripped over a loose piece of paving outside a Government building; the other, in 1993, for £5,360, to someone who had sustained injuries in an accident involving a lift in a Government building.

The amount of sick pay for injuries in the same period is not available.

Civil Servants (Company Directors)

Mr. Martyn Jones: To ask the Secretary of State for the Environment if he will list those companies which have civil servants from his Department as directors and all the occasions on which those companies have been found guilty of a civil or criminal offence in the last eight years. [33915]

Sir Paul Beresford: Four serving civil servants in my Department currently hold non-executive company directorships:

Dr. Alan Apling: H. R. Wallingford Group (ex officio)

Mr. Roger Courtney: Woods of Colchester

Mr. William Rickett: Redland Roof Tiles

Mr. John Stoker: Mersey Partnership (ex officio) Hanson Brick

The Department has no record of whether or not any of these companies have been found guilty of either civil or criminal offences in the last eight years.

HOME DEPARTMENT

Postage Costs

Mr. Donohoe: To ask the Secretary of State for the Home Department how much his Department spent on postage in the financial years 1994–95 and 1995–96; and how many items were posted during these periods. [32853]

Mr. Howard: The information requested for my Department, including its agencies, is as follows:

1994–95: £4,747,723

1995–96: £4,879,819

Information on the numbers of items posted is not recorded.

Statistics

Mr. Fisher: To ask the Secretary of State for the Home Department for which statistics his Department has discontinued *(a)* collection and *(b)* publication of since 1989. [32855]

Mr. Howard: Changes are made in the collection and publication of statistical series from time to time in response to the Government's requirements for statistical information, and to changes in legislation and administrative systems on which the statistics are based. The main series which have been discontinued since 1989 by the Department are:

1990: discontinued publishing Home Office statistical bulletin "Local Government Elections, England and Wales" to eliminate duplication of published data by the local government chronicle elections centre at the University of Plymouth.

1992: ceased publishing figures on the number of residence permits issued to European Community nationals in Command Paper "Control of Immigration: Statistics, United Kingdom".

reduced the collection and publication of statistics on breath tests given to motorists.

1993: statistics on offences of drunkenness published in reduced detail in Command Paper "Criminal Statistics, England and Wales", rather than in a Home Office bulletin, with detailed tables being made available on request.

returns on drug seizures and offenders from police in England and Wales replaced by returns on seizures alone, due to more reliable information on court appearances and cautions available from the court appearances returns.

1994: responsibility for the collection and publication of statistics on time intervals for criminal proceedings in magistrates courts and on domestic proceedings in magistrates courts passed to the Lord Chancellor's Department.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for the Home Department what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33494]

Mr. Howard: The available information for the past financial years is as follows:

Compensation	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Prison Service[1]	£717,000	£675,000	£628,000	£1,448,000	£810,000
Home Office (including its other agencies)[2]	n/a	n/a	[3]£12,323	£9,695	£7,217

[1] Payments relate to staff only and do not distinguish awards of more than £5,000.

[2] Information for 1991–92 and 1992–93 was not collected.

[3] Includes one payment of more than £5,000.

None of these payments was for incidents resulting in fatalities or involving information technology.

Information on sick pay and on the further breakdown of compensation payments could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for the Home Department on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33492]

Mr. Howard: This information is not collected centrally and could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for the Home Department what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33495]

Mr. Howard: Expenditure to meet health and safety standards is not recorded separately.

Mr. McCartney: To ask the Secretary of State for the Home Department how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities [33493]

Mr. Howard: The available information requested is as follows:

	Minor injuries	*[1]Major injuries*	*Fatal*
1991	4,303	279	nil
1992	4,809	378	nil
1993	[2]5,150	434	nil
1994	[3]5,077	498	[4]1
1995	4,741	270	nil

[1] Major injuries are those defined as reportable under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1985, which includes injuries resulting in more than three days absence from work.

[2] Includes two injuries reported to have involved information technology.

[3] Includes three injuries reported to have involved information technology.

[4] The fatal injury was sustained by a member of the works staff at HM prison Haverigg on 24 August 1994.

Parole Board

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the members of the Parole Board, indicating the salary paid to each. [33708]

Miss Widdecombe: The Parole Board's annual report published in June 1995 contained a list of its members. The chairman receives a salary in the band £50,000 to £55,000 and the four full-time members receive a salary in the band £30,000 to £35,000. Other members, except serving judges, are paid a daily fee in respect of work undertaken. New appointments are currently being considered. I will write to you with an up-to-date list in due course.

Vehicle Insurance (Prosecutions)

Mr. French: To ask the Secretary of State for the Home Department how many successful prosecutions for the evasion of vehicle insurance have been made in each of the last five years. [33555]

Mr. Maclean: Information on the number of prosecutions which led to a conviction for the offence of "using a motor vehicle uninsured against third party risks" is given in the following table. Figures for 1995 are not yet available.

Convictions at all courts for the offence of using a motor vehicle uninsured against third party risks, England and Wales

Year	*Number of convictions*
1990	209,463
1991	225,910
1992	246,054
1993	281,136
1994	286,252

Metropolitan Police (Vans)

Mr. Spellar: To ask the Secretary of State for the Home Department how many Volkswagen vans the Metropolitan police have purchased in the current financial year and in each of the last two years. [33646]

Mr. Maclean: The information requested is as follows:

	1994–95	*1995–96*	*1996–97*
Number	Nil	90 station vans	Not yet decided
		20 red route traffic warden minibuses	
		3 dog vans	

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 June, *Official Report*, column *153*, on Buckley Hall prison, how many of the 15 recapture/surrenders were carried out by *(a)* the police and *(b)* prison officers from Buckley Hall prison. [33771]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 24 June 1996:

The Home Secretary has asked me to reply to your recent Question, on how many of the 15 recapture and surrenders at Buckley Hall prison were carried out by (a) the police and by (b) prison officers.

Of the 15 recapture and surrenders at Buckley Hall, all were carried out by the police.

Ms Lynne: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 June, *Official Report*, column *153*, on incidents reported to the Prison Service from Buckley Hall prison, if he will define recapture/surrender in respect of *(a)* Buckley Hall prison and *(b)* prisons run by the Prison Service. [33773]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 24 June 1996:

The Home Secretary has asked me to reply to your recent Question, about the definition of incidents of recapture and surrender reported to the Prison Service from (a) Buckley Hall prison and (b) prisons run by the Prison Service

All prisons in England and Wales record recapture/surrender as the return to lawful custody either voluntarily or on recapture of any prisoner who has previously escaped from a prison establishment or escort, absconded, or failed to return to prison after a period of release on temporary licence.

Women Police Officers

Dr. Marek: To ask the Secretary of State for the Home Department if he will give the numbers of women police officers in each of the senior ranks; and what were the corresponding numbers in 1992 and 1986. [34078]

Mr. Maclean: The information requested is given in the table.

Female senior police officers in England and Wales

	1986	1992	1996
Chief Constable	0	0	1
Deputy Chief Constable[1]	0	0	—
Assistant Chief Constable	2	4	5

[1] The rank of deputy chief constable was abolished on 1 April 1995.

Dr. Marek: To ask the Secretary of State for the Home Department how many women police officers have referred employment grievances to industrial tribunals in each of the past five years; and how many of these cases have been dismissed. [34081]

Mr. Maclean: The information requested is not held centrally.

Judicial Review

Ms Hodge: To ask the Secretary of State for the Home Department on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33588]

Mr. Howard *[holding answer 19 June 1996]:* We do not hold central records of the occasions on which legislation has been introduced to remove the effect of a judicial review decision. The only legislation which appears to have been enacted for that purpose is section 158(3) and (4) of the Criminal Justice and Public Order Act 1994, which removed the effect of R *v.* stipendiary magistrates ex parte Vesna Doklega (1994), unreported, and the Criminal Injuries Compensation Act 1995, which removed the effect of the decision in the House of Lords in R *v.* Secretary of State for the Home Department ex parte Fire Brigades Union and other [1995], 2WLR464. There have been no occasions on which legislation has implemented a judicial review decision because the decision itself is implemented by order of the court.

Next Steps Agencies

Ms Jowell: To ask the Secretary of State for the Home Department what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32725]

Mr. Howard *[holding answer 20 June 1996]:* The Directors General of Her Majesty's Prison Service and of the Forensic Science Service and the chief executives of the United Kingdom Passport Agency and the Fire Service College have advised me that the information requested is as follows:

HM Prison Service

Grade	Number of staff	Number of female staff
Director general	1	—
Director (formerly grade 3)[1]	7	—
(formerly) grade 4	1	—
Principal medical officer[2]	10	2
(formerly) grade 5	7	1
Senior medical officer[3]	44	6
Assistant director	21	—
Grade 6	25	6
Grade 7	166	21
Governor 1	29	3
Governor 2	73	6
Governor 3	134	16
Governor 4[4]	339	44
Governor 5[4]	496	48
Principal Officer[4]	1,317	49
Senior Officer[4]	3,570	186
Officer[4]	19,760	2,190
Temporary Officer	3	3
Auxiliary Officer	2,011	441
Night Patrol	987	92
Chaplains	267	39
Nursing grades	670	508
Psychological grades	212	144
Farm management grades	90	1
Full time medical officer grades	107	11
Part time medical officer grades	95	4
Senior professional and technical officer	89	3
Higher professional and technical officer	120	4
Professional and technical officer	66	7
Senior instructional officer	2	—
Higher instructional officer	25	2
Instructional officer	1,138	177
Senior executive officer	110	27
Higher executive officer	303	123
Executive officer	657	410
Administrative officer	2,146	1,640
Administrative assistant	800	610
Storeperson	610	34
Typing grades (inc personal secretaries)	635	632
Pharmacy grades	70	49
Support bands 1 and 2	272	238
Librarian	1	1
Regional catering management	9	2
Industrials	2,977	216
Information officers	9	3
Total	40,481	7,963

[1] With effect from 1 April 1996, former civil service grades 1 to 5 were subsumed into the senior civil service.

[2] Formerly grade 4 equivalent.

[3] Formerly grade 5 equivalent.

[4] Includes specialist grades: works, hospital, physical education, etcetera.

Forensic science service

Grades	Number of staff	Number of female staff
Senior civil service	[1]3	1
Grade 6	9	—
Grade 7	25	3
A3 senior forensic scientist	15	2
A2 senior forensic scientist	50	3
A1 senior forensic scientist	121	31
H2 forensic scientist	100	50
B1 forensic scientist	55	26
C2 assistant forensic scientist	142	103
C1 assistant forensic scientist	136	93
Senior scientific officer	79	13
Higher scientific officer	99	53
Scientific officer	36	26
Assistant scientific officer	20	12
Senior executive officer	3	—
Higher executive officer	5	3
Executive officer	18	10
Administrative officer	55	44
Administrative assistant	64	51
Personal secretary	13	13
Typist	37	37
Support grade band 2	48	33
Support grade band 1	6	2
Senior photographic officer	1	—
Higher photographic officer	3	1
Photographic officer	5	3
Laboratory attendant	12	6
Graphics officer	1	—
Stores officer	1	—
Total	1,162	619

[1] Formerly one grade 3 post (female) and two grade 5 posts.

United Kingdom passport agency

Grades	Number of staff	Number of female staff
Senior civil service	[1]1	—
Grade 6	2	—
Grade 7	10	—
Senior executive officer	13	4
Higher executive officer	56	26
Executive officer	176	119
Administrative officer	646	437
Administrative assistant	444	292
Senior personal secretary	1	1
Personal secretary	7	7
Typing manager	2	2
Typist	22	22
Support grade band 1	13	4
Support grade band 2	64	25
Total	1,457	939

[1] Formerly a grade 5 post.

Fire service college

Grades	Number of staff	Number of female staff
Senior civil service	[1]1.0	—
Grade 6	1.0	—
Grade 7	2.0	—
Senor executive officer	4.0	1.0
Higher executive officer	5.0	3.0
Executive officer	16.0	13.0
Administrative officer	24.5	19.5
Administrative assistant	11.0	9.0
Commandant	1.0	—
Assistant chief officer	1.0	—

Fire service college

Grades	Number of staff	Number of female staff
Divisional officer I	3.0	—
Divisional officer II	4.0	—
Assistant divisional officer	2.0	—
Station officer	3.0	—
Lecturer	18.0	4.0
Senior lecturer	1.0	—
Principal lecturer	3.0	—
Librarian	1.0	—
Assistant librarian	4.0	—
Senior personal secretary	1.0	1.0
Personal secretary	3.0	3.0
Higher professional and technical officer	1.0	—
Professional and technical officer	2.0	—
Technical grade I	1.0	—
Technical grade II	5.0	2.0
Graphics officer	2.0	1.0
Support grade II	3.0	2.0
Typist	4.0	4.0
Senior information officer	1.0	1.0
Higher information officer	1.0	—
Information officer	2.0	—
Nurse grade G	1.0	1.0
Nursery manager	1.0	1.0
Deputy nursery manager	1.0	1.0
Nursery assistant	1.0	1.0
Head of department 6	1.0	—
Head of department 5	1.0	—
Head of department 3.0	1.0	—
Industrial staff	39.5	—
Fireground supervisor	1.0	—
Stores officer grade D	1.0	—
Total	180.0	67.5

HEALTH

Health Service Contracts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 16 May, *Official Report*, column *529*, if he will update the information on health service contracts agreed by health authorities for 1996. [33810]

Mr. Horam: Information on health service contracts agreed by health authorities will be placed in the Library.

NHS Executive (Cars)

Mr. Bayley: To ask the Secretary of State for Health what make and model of car is currently made available by the NHS to each of the chairmen of the NHS Executive's regional offices; and what is the cost to the NHS of providing each of the vehicles. [33834]

Mr. Malone: Regional chairmen may be provided with a car if it is cost-effective to do so when compared with other means of funding business travel. Only the regional chairman for the Northern and Yorkshire region is provided with a lease car, a Land Rover Discovery. From 1 April 1996, following the abolition of the regional health authorities, the cost of the lease has been met by the Department of Health. Other regional chairmen use their cars for business travel and are paid a mileage allowance.

Solvent Misuse

Lady Olga Maitland: To ask the Secretary of State for Health when solvent misuse mortality figures for 1994 will be available. [34079]

Mr. Bowis: "Trends in Deaths Associated with Abuse of Volatile Substances—Report No. 9" has been published today by St. George's medical school. Copies will be placed in the Library. This gives solvent misuse mortality figures for 1994 and shows an encouraging further fall of 20 per cent., from 71 deaths in 1993 to 57 deaths in 1994. It is a further sign that the Government's initiative in this area is bearing fruit.

Care of the Elderly

Mr. Denham: To ask the Secretary of State for Health what representations he has received in response to the Government's consultation document, "A New Partnership for Care in Old Age", with particular reference to the cost of the scheme to his Department. [34114]

Mr. Bowis: The Department of Health has received over 500 responses to the proposals in the consultation paper "A New Partnership for Care in Old Age". These are currently being studied.

NORTHERN IRELAND

Buses (Seat Belts)

Mr. William Ross: To ask the Secretary of State for Northern Ireland what plans he has to amend the law on the rules for the wearing of seat belts by children in buses and minibuses with particular reference to church buses. [33309]

Mr. Moss: It is my intention to introduce new regulations at the earliest opportunity to require the fitment of seat belts on all minibuses and coaches where the purpose of the journey is central to the transport of children, including journeys to and from school. These regulations will replicate proposals announced in February 1996 in Great Britain and will also apply only to minibuses and coaches. There are no plans to extend the requirements to buses.

Health Trusts and Boards

Mr. Dowd: To ask the Secretary of State for Northern Ireland how many health trusts and health boards he estimates will be in place by the end of 1996; and if he will list them. [33541]

Mr. Moss: I do not anticipate any change in the existing 20 health and social service trusts and four health and social services boards in Northern Ireland by the end of 1996. They are listed as follows:

Health and Social Services Trusts

Royal Group of Hospitals and Dental Hospital Health and Social Services Trusts

Belfast City Hospital Health and Social Services Trust

Craigavon Area Hospital Group Health and Social Services Trust

Green Park Health and Social Services Trust

Ulster, North Down and Ards Hospitals Health and Social Services Trust

Down Lisburn Health and Social Services Trust

North Down and Ards Community Health and Social Services Trust

North and West Belfast Health and Social Services Trust

South and East Belfast Health and Social Services Trust

Craigavon and Banbridge Community Health and Social Services Trust

Newry and Mourne Health and Social Services Trust

Mater Infirmorum Hospital Health and Social Services Trust

Causeway Health and Social Services Trust

Northern Ireland Ambulance Service Health and Social Services Trust

Armagh and Dungannon Health and Social Services Trust

United Hospitals Health and Social Services Trust

Altnagelvin Hospitals Health and Social Services Trust

Foyle Health and Social Services Trust

Homefirst Community Health and Social Services Trust

Sperrin Lakeland Health and Social Services Trust

Health and Social Services Boards

The Eastern Health and Social Services Board

The Northern Health and Social Services Board

The Southern Health and Social Services Board

The Western Health and Social Services Board

Public Bodies

Mr. Dowd: To ask the Secretary of State for Northern Ireland how many civil servants and public sector employees are currently working *(a)* health trusts, *(b)* health boards, *(c)* Government agencies, *(d)* non-departmental public bodies, *(e)* local government and *(f)* other public bodies; and how many civil servants in total are employed in Northern Ireland. [33543]

Sir John Wheeler: For the Northern Ireland Departments and the Northern Ireland Office, the information requested is as follows:

Body	*Civil servants and public sector employees*
(a) Health Trusts	66,545
(b) Health Boards	1,298
(c) Government Agencies	16,734
(d) Non-Departmental Public Bodies	37,647
(e) Local Government	7,025
(f) Other Public Bodies	1,193

A total of 28,137 civil servants are employed in Northern Ireland.

FOREIGN AND COMMONWEALTH AFFAIRS

Land Mines

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his European Union counterparts in respect of formulating a joint policy on banning the sale of land mines; and if he will make a statement. [333906]

Mr. David Davis: The EU has had a common moratorium on the export of certain kinds of anti-personnel mines and to certain destinations since May 1995, when it adopted a joint action on anti-personnel mines. That joint action is currently under review.

Since 22 April 1996, the UK's national export moratorium prohibits the export of all anti-personnel mines to all countries. We hope that all EU member states will adopt an equally wide-ranging moratorium.

United Arab Emirates

Ms Eagle: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects payment to be made to Mr. Brearley from Wallasey of the full amount in respect of money owed to him by the United Arab Emirates armed forces for employment between January 1993 and June 1994; and what action Her Majesty's Government are taking to facilitate payment of this debt and the debts to those foreign workers who undertook similar employment. [32743]

Mr. Hanley: The British embassy in Abu Dhabi has been in constant touch with Mr. Brearley and the British teachers concerned and with their lawyers throughout this protracted dispute. The British ambassador has recently written to the chief of staff, UAE armed forces, expressing his concern and the embassy has also written to the Ministry of Foreign Affairs urging them to do whatever they can to expedite payment of the moneys due. The embassy will continue to do its utmost to bring an end to this unfortunate matter and enable Mr. Brearley and his fellow teachers to be recompensed in full.

Kashmir

Ms Lynne: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of India over threats to the lives of Kashmiri leaders with particular reference to *(a)* Syed Ali Gilani and *(b)* Abdul Gani Lone, and if he will make a statement. [33717]

Mr. Hanley: Although we often discuss the security situation in Kashmir with the Indian authorities, and raise our concerns about human rights there, we have made no representations on the specific cases of Syed Ali Gilani and Abdul Gani Lone. We look forward to discussion on Kashmir, and other issues, with the new Indian Government.

Israel

Mr. David Young: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Israeli Government *(a)* to discuss with the Palestinians the final status of Jerusalem and *(b)* to effect an early withdrawal of Israeli troops from Hebron. [34253]

Mr. Hanley: Both of these are among Israel's commitments under the Oslo accords. We have made clear and will continue to make clear that all such commitments must be fulfilled.

UNESCO

Mr. Sheerman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the United Kingdom to re-enter UNESCO. [32640]

Sir Nicholas Bonsor: We have not set a date for the UK's return to UNESCO. The question of membership is being kept under review in the light of progress with reform in the organisation and other financial priorities.

Overseas Visits (Royal Family)

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visit by the Duke of Kent to Singapore between 10 and 12 September 1995. [32213]

Mr. Rifkind *[holding answer of 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Duke of Kent to Singapore between 10 and 12 September 1995 was:

	£
(a) travel	10,700
(b) hotel expenses	nil
(c) official presents and donations	300
(d) salaries-additional staff	15
(e) bank, postal, telephone and telegraph charges	60
(f) miscellaneous	400

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visit by the Duke and Duchess of Kent to Hong Kong on 25 November 1994. [32214]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Duke and Duchess of Kent to Hong Kong from 25 November to 2 December 1994 was:

	£
(a) travel	12,000
(b) hotel expenses	4,300
(c) official presents and donations	3,000
(d) salaries—additional staff	2,200
(e) bank, postal, telephone and telegraph charges	100
(f) miscellaneous	7,500

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise *(a)* the purpose, *(b)* the method of travel and *(c)* the costs to public funds in respect of the visits by His Royal Highness the Duke of Edinburgh to the Caribbean in March 1993 and March 1994. [32215]

Mr. Rifkind *[holding answer 12 June 1996]:* The Duke of Edinburgh's visit to the Caribbean in March 1993 was official and was designed to include those realms and dependent territories not likely to be visited by the Queen

the following year. His Royal Highness travelled by the royal flight and the royal yacht. Expenditure authorised by my Department in support of this visit was:

	£
(a) travel	5,300
(b) hotel expenses	12,400
(c) official presents and donations	600
(d) salaries—additional staff	1,700
(e) bank, postal, telephone and telegraph charges	30.00
(f) miscellaneous	7,400

The Duke of Edinburgh accompanied the Queen on a state visit to the Caribbean in March 1994. The Queen and the Duke of Edinburgh travelled by the royal flight and the royal yacht. Expenditure authorised by my Department in support of the Duke of Edinburgh on this visit was:

	£
(a) travel	Nil
(b) hotel expenses	Nil
(c) official presents and donations	Nil
(d) salaries—additional staff	500
(e) bank, postal, telephone and telegraph charges	Nil
(f) miscellaneous	800

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visit by the Princess of Wales to Nepal on 2 to 6 March 1993. [32216]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Princess of Wales to Nepal on 2 to 6 March 1993 was:

	£
(a) travel	Nil
(b) hotel expenses	Nil
(c) official presents and donations	2,900
(d) salaries—additional staff	100
(e) bank, postal, telephone and telegraph charges	Nil
(f) miscellaneous	13,400

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visit by Prince Edward to Swaziland between 4 and 7 September 1993. [32217]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Prince Edward to Swaziland between 4 and 7 September 1993 was:

	£
(a) travel	11,600
(b) hotel expenses	Nil
(c) official presents and donations	1,000
(d) salaries—additional staff	100
(e) bank, postal, telephone and telegraph charges	Nil
(f) miscellaneous	4,900

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visit by the Duchess of Kent to Seychelles on 3 to 6 December 1993. [32218]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Duchess of Kent to the Seychelles on 3 to 6 December 1993 was:

	£
(a) travel	15,500
(b) hotel expenses	4,400
(c) official presents and donations	1,000
(d) salaries—additional staff	500
(e) bank, postal, telephone and telegraph charges	100
(f) miscellaneous	4,600

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds of the visit by Princess Alexandra to Hong Kong and India on 14 to 27 October 1994. [32219]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by Princess Alexandra to Hong Kong and India 14 to 27 October:

	£
(a) travel	8,100
(b) hotel expenses	5,800
(c) official presents and donations	1,300
(d) salaries-additional staff	4,000
(e) bank, postal, telephone and telegraph charges	Nil
(f) miscellaneous	8,100

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report*, column *59*, if he will itemise the costs to public funds in respect of the visits made by Princess Margaret to San Francisco and Los Angeles in 1995. [32220]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Princess Margaret to San Francisco in 1995—the Los Angeles leg fell away—was:

	£
(a) travel	10,800
(b) hotel expenses	Nil
(c) official presents and donations	900
(d) salaries—additional staff	Nil
(e) bank, postal, telephone and telegraph charges	300
(f) miscellaneous	10,300

Mr. Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 May, *Official Report,* column *59,* if he will itemise the costs to public funds in respect of the visit by the Duke and Duchess of Gloucester to Mexico on 20 to 23 November 1995. [32221]

Mr. Rifkind *[holding answer 12 June 1996]:* Expenditure authorised by my Department in support of the official visit by the Duke and Duchess of Gloucester to Mexico on 20 to 23 November 1995 was:

	£
(a) travel	16,800
(b) hotel expenses	500
(c) official presents and donations	1,500
(d) salaries—additional staff	Nil
(e) bank, postal, telephone and telegraph charges	Nil
(f) miscellaneous	6,300

TRANSPORT

Air Traffic Control Centre

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment he has made of the level of risk associated with the remedial measures proposed by the contractors on the new en-route centre; what contingency plans his Department has made in the event of the project failing; and what compensation will be payable to the Civil Aviation Authority by the NERC contractors as a result of the delays to the project. [32782]

Mr. Norris: Lockheed Martin has implemented a revised project plan that has reduced substantially the level of financial risk associated with the proposed remedial measures. National Air Traffic Services is monitoring the situation closely and is examining a range of options, in the event of further delay, to ensure services to customers are unaffected. In the remote eventuality that the project company fails to deliver the system, 125 per cent. of the total contract value could be claimed from the supplier.

Mrs. Dunwoody: To ask the Secretary of State for Transport what will be the costs of upgrading and keeping in service the London air traffic control centre, including its military cell, until the new en-route centre becomes operational; and to what extent these costs will be borne by the NERC contractors. [32783]

Mr. Norris: The additional cost to NATS of operating upgraded facilities at West Drayton during the run up to the introduction of the new en-route centre into operational service will be in the order of £15 million. The additional costs required to complete the new en-route centre will be borne entirely by the project contractor.

Foreign-registered Aircraft

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the measures employed by his Department and the Civil Aviation Authority for approving the operation of foreign-registered aircraft by United Kingdom airlines. [33019]

Mr. Norris: In my answer of 26 April I said that I had placed in the Library a copy of the procedures covering the dry leasing and wet-leasing of aircraft. In addition, I have now placed in the Library a copy of the Air Navigation (No. 2) Order 1995 covering procedures for aircraft leasing across national boundaries.

Trunk Roads (Noise Barriers)

Mr. Hunter: To ask the Secretary of State for Transport what is his policy in respect of the provision of noise barriers or other mitigation measures for the trunk road network. [33266]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Andrew Hunter, dated 24 June 1996:

As you know, the Minister for Railways and Roads, Mr. John Watts MP, has asked me to write to you in reply to your recent Parliamentary Question to the Secretary of State about his policy in respect of the provision of noise barriers or other mitigation measures for the trunk road network.

The Noise Insulation Regulations 1975 prescribe that residential properties which will be exposed to a level of traffic noise in excess of 68 dB(A) as the result of the construction of a new road or carriageway, and of which an increase of at least 1 dB(A) is attributable to the traffic on the new road, should be provided with noise insulation. Discretionary powers to provide insulation are given by the Noise Insulation Regulations in the case of the improvement of an existing road which significantly changes its line or level. The Highways Act 1980 gives powers for highway authorities to provide various features within a highway, ancillary to its main purpose, to mitigate impacts on the environment.

In accordance with EC Directive 337/85, the environmental effects of public works such as new roads, which include increased noise, are assessed and published as an environmental statement together with the legal orders for the scheme, in order to allow public comment.

Noise barriers or other measures to mitigate the impact of traffic noise are included in the design of trunk road improvement proposals where it is demonstrated that without them a significant number of properties would need to be insulated. The extent of any barriers may be increased in consideration of other environmental benefits such as visual screening which they may confer. In considering the merits of barriers, their cost effectiveness in comparison with other forms of mitigation, including the insulation of property, is taken into account.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Transport how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33521]

Mr. Norris: The figures are as follows:

	Injuries	*Fatal*
1991–92	1,035	1
1992–93	959	0
1993–94	1,068	2
1994–95	1,579	0
1995–96	[1]589	[1]0

[1] Not yet fully available.

The fatality in 1991–92 was due to natural causes. The fatalities in 1993–94 were two Vehicle Inspectorate enforcement officers who were murdered while on duty.

The data held by the Department do not separately record accidents involving IT.

Mr. McCartney: To ask the Secretary of State for Transport what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33522]

Mr. Norris: The figures for compensation paid to employees of the Department of Transport and its agencies, or their families, as a result of work-related injuries, are as follows:

	Injuries £	*Fatal* £
1991–92	17,490	0
1992–93	22,996	26,298
1993–94	23,766	0
1994–95	19,500	0
1995–96	173,194	0

There were 14 compensation cases of over £5,000.

The figures available do not distinguish between minor and major injuries, or those involving IT. Information relating to sick pay as a result of work-related injuries and compensation paid to members of the public is not readily available.

Rail Privatisation

Mr. Chidgey: To ask the Secretary of State for Transport what additional payments have been made to passenger transport executives under *(a)* the metropolitan railway grant and *(b)* the section 20 payments in respect of rail privatisation including the latest estimates for the current financial year. [33799]

Mr. Watts: Government support to PTEs through metropolitan railway grant and its Scottish equivalent has been as follows:

1994–95: £225.4 million

1995–96: £132.1 million

1996–97: —

Sums allocated under the section 20 "bolt-on" element of revenue support grant—and its Scottish equivalent—for rail support in metropolitan areas for the corresponding period are:

1994–95: £148.1 million

1995–96: £147.2 million

1996–97: £281.2 million

Mr. Chidgey: To ask the Secretary of State for Transport what has been the cost to date of all bought-in services in connection with railway privatisation, with particular reference to costs and commissions in connection with the flotation of Railtrack. [33794]

Mr. Watts: I refer the hon. Member to the reply that I gave to the hon. Member for York (Mr. Bayley) on 4 June, *Official Report*, column *429*, in respect of costs of the Railtrack share offer.

Costs to my Department of other bought-in services in connection with rail privatisation from 1991–92 to date are some £44 million.

Mr. Chidgey: To ask the Secretary of State for Transport what has been the cost to date in departmental staff time of work on railway privatisation. [33793]

Mr. Watts: The Department does not have detailed information in the form requested. However, from 1991–92 to date, the costs of staff working on rail privatisation are approximately £10 million.

Mr. Chidgey: To ask the Secretary of State for Transport what has been the cost to date to Railtrack of privatisation, with particular reference to associated redundancy and compensation payments made before flotation; and what is the estimated annual future cost to public funds. [33796]

Mr. Watts: Railtrack's accounts show that it accrued £46 million for the whole of its privatisation costs. All redundancy or compensation payments made by the company while it was being privatised were made to increase the company's efficiency. Any future costs arising from such payments will fall to Railtrack.

Mr. Chidgey: To ask the Secretary of State for Transport what are the total costs incurred so far by the British Railways Board in the privatisation process broken down by *(a)* external advice, *(b)* consultancies, *(c)* commission payments, *(d)* redundancy pension and *(e)* other expenses including the estimated costs for the current year. [33798]

Mr. Watts: Details of the costs incurred by the British Railways Board in the privatisation process are a matter for the board itself. However, the board's annual reports and accounts for 1993–94 and 1994–95 show that its total privatisation costs to the end of 1994–95 were £177 million. I understand from the board that it estimates that it incurred further costs of £101 million in 1995–96; it also estimates that it will incur further costs of £53 million in 1996–97. Any breakdown of those figures would be for the board to provide.

Severn Bridge

Mr. Spellar: To ask the Secretary of State for Transport what repair work has had to be undertaken on the Severn bridge as a result of defective steel; what is the estimated cost of repair; and what has been the effect on traffic flows over the bridge. [33647]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. John Spellar, dated 24 June 1996:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question about the Second Severn Crossing.

The Second Severn Crossing is a private finance project operated by the Concessionaires, Severn River Crossing plc. The bridge was opened on 5th June 1996. We are not aware of any defective steel on the Second Servern Crossing.

Green Lane Industrial Estate, Featherstone

Mr. Trickett: To ask the Secretary of State for Transport what sums from public funds have been spent on the access road into the Green Lane industrial estate in Featherstone. [33630]

Mr. Norris: The Green Lane industrial estate access road is a scheme promoted by Wakefield metropolitan district council. The Department of Transport has approved a grant of £113,765 under the Industrial Development Act 1982, and has authorised supplementary credit approvals in the sum of £590,931, in respect of the scheme.

Office of Passenger Rail Franchising

Mr. Chidgey: To ask the Secretary of State for Transport what is the total value of (i) payments made so far by the franchising director and (ii) all commitments so far made to *(a)* British Rail or *(b)* franchise companies and the latest estimate for the current financial year, including all consultancy payments and commissions payable by the franchising director. [33795]

Mr. Watts: Payments made by the franchising director are as follows:

£ million cash

	1993–94 Outturn	*1994–95 Outturn*	*1995–96 Outturn*	*1996–97 Estimate*
Consultancy costs[1]	1.5	13.1	27.0	16.8
Support to BR[2]	—	1,783.0	1,650.1	1,626.0
Support to franchisees[3]	—	—	18.8	[4]—

[1] All amounts are net of recovered VAT.
[2] Opraf took over responsibility for making support payments to BR from DOT on 1 April 1994.
[3] Payments have only been made to franchisees since 4 February 1996.
[4] The split of support for passenger rail services between BR and franchisees in 1996–97 will depend on the progress of franchising. The total is that included in the Supply estimates for class V, vote 7, passenger rail services.

Charter Aircraft

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what debts were owed to the Civil Aviation Authority by Sultan Air at the time of its receivership; and if these debts have now been recovered; [33534]

(2) what action was taken by the Civil Aviation Authority as a result of the ruling by the High Court on 10 October 1994 in relation to flights operated by Air Operations of Europe; [33530]

(3) if he will list the occasions when aircraft operated by *(a)* Omega Air, *(b)* Sultan Air and *(c)* Air Operations of Europe have been detained by the Civil Aviation Authority at the request of Eurocontrol for non-payment of fees. [33532]

Mr. Norris: Sultan Air left no outstanding debts to the authority at the time of its receivership.

On 10 October 1994, the High Court ruled that Air Operations of Europe had been the operator of aircraft HR-AMC at the time of its detention. The CAA obtained an order of sale against the aircraft, and at a further hearing on 14 November 1994, the High Court ruled that unless payment of outstanding route charges and the CAA's costs was made by 21 November 1994, the CAA would be at liberty to proceed with the sale of the aircraft. The route charges were paid and the aircraft was released from detention on 16 November, but remains grounded for safety reasons.

The CAA has no record of detention action against Omega Air at the request of Eurocontrol.

An aircraft operated by Sultan Air was detained for unpaid route charges on 16 October 1991, and released on 21 February 1992.

As I have explained, the aircraft detained on 22 October 1993 and released on 16 November 1994 was operated by Air Operations of Europe.

SOCIAL SECURITY

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Social Security if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32831]

Mr. Burt: The Department's Benefits, Contributions, Child Support and War Pensions Agencies have published customer charters, all of which are currently in use.

DEFENCE

Vehicle Depots

Mr. Clifton-Brown: To ask the Secretary of State for Defence how many and what grades of civilian staff are employed at the vehicle depots at Ashchurch and Ludgershall. [33315]

Mr. Soames: This is a matter for the Army Base Storage and Distribution Agency under its framework document. I have asked the chief executive to write to my hon. Friend.

Letter from Kevin Goad to Mr. Geoffrey Clifton-Brown, dated 24 June 1996:

I am replying to your Question to the Secretary of State for Defence regarding how many and what grades of civilian staff are employed at the vehicle depots at Ashchurch and Ludgershall as this falls within my area of responsibility as Chief Executive of the Army Base Storage and Distribution Agency. The figures, as at 17 June 1996, are as follows:

Ashchurch	*Ludgershall*
58 non-industrial staff	24 non-industrial staff
147 industrial staff	56 industrial staff

The annex to this letter details the grades of the staff concerned.

I hope this fully answers your questions.

Continued strength BVDL/GL VDW as at 17 June 1996
Industrial

Grade	*Total*
Craft aux	3
Driver	5
Fitters	2
General hand (kennels)	1

Continued strength BVDL/GL VDW as at 17 June 1996
Industrial

Grade	Total
FLTO	1
Spray painter	1
S/Storekeeper	6
Storekeeper	6
Labourer C/H	1
Labourers	7
SA1	2
L/H loco driver	1
Loco driver	1
Brakeman	2
LCH Sen Gen	3
Sen Gen	8
Gen	3
Gen hand	3
Total	56

Continued strength BVDL/GL VDW as at 17 June 1996
non industrial

Grade	Total
HPTO	1
PTO	1
EO	1
AO	6
AA	3
TYPIST	2
AO (ADP)	1
P and GS 'C'	1
P and GS 'D'	2
P and GS 'E'	2
SOG 'C'	3
SOG 'D'	1
EGN 'F'	1
Total	25

MMGS

2 X CSO IV

20 X CSO V

BVDA civilian manpower—non industrial

Grade	MPC 1995–96	Strength Male	Female	Total
HEO	—	—	0	0
EO	3	2	0	2
RO2	1	1	0	1
SOG C	1	0	0	0
SOG D	4	3	0	3
P and GS C	0	1	0	1
P and GS D	3	2	0	2
P and GS E	1	0	0	0
SPTO	1	1	0	1
HPTO	2	2	0	2
PTO	6	8	0	8
Typist	3	0	3	3
AO (IT)	2	1	1	2
AO)	25	5	17	22
AA	1	0	—	0
AA (IT)	9	3	6	9
RGN (F)	1	0	5	5
Nurse D	1	0	1	1
Totals	64.00	29.00	28.50	57.50

BVDA Civilian Manpower—Industrial

Grade	MPC 1995–96	Strength Male	Female	Total
Head cook	1	1	0	1
Cook	3	1	2	3
CH STW I	1	0	1	1
CH STW II	1	0	1	1
STW I	1	0	1	1
STW II	2.5	0	2.5	2.5
Mess hand	4.5	0	4.5	4.5
Fitter MT	1	0	0	0
CH driver	1	1	0	1
LH driver	3	3	0	3
Driver	18	16	0	16
FLTO	2	2	0	2
Crane OP	1	1	0	1
LM Pt sprayer	1	1	0	1
Paint sprayer	2	2	0	2
Snr Stkpr	7	6	0	6
STKPR	16.5	15.5	2	17.5
Craft Aux	5	10	0	10
SA I	9	9	0	9
Messenger	1	0	0	0
LH Gen Hand	1	1	0	1
Gen Hand	8	4	0	4
LCH Sen Craftsman	3	3	0	3
CH Sen Craftsman	2	3	0	3
Total	—	—	—	93.5

BVDA civilian manpower—industrial

Grade	MPC 1995–96	Strength Male	Female	Total
Progressor	2	2	0	2
LH Sen craftsman	2	1	0	1
Sen craftsman	15	15	0	15
CH craftsman	1	—	0	0
LH craftsman	0	1	0	1
Craftsman basic	26	24	0	24
Apprentices	12	10	0	10
Total	—	—	—	53

Mr. Clifton-Brown: To ask the Secretary of State for Defence what are the terms of reference and time scale of the review of the investment appraisals for the Army's base vehicle depots at Ludgershall and Ashchurch.[33328]

Mr. Soames: This is a matter for the Army Base Storage and Distribution Agency under its framework document. I have asked the chief executive to write to my hon. Friend.

Letter from Kevin Goad to Mr. Geoffrey Clifton-Brown, dated 24 June 1996:

I am replying to your Question to the Secretary of State for Defence regarding the terms of reference and timescale of the review of the investment appraisals for the Army's base vehicle depots at Ludgershall and Ashchurch as this falls within my area of responsibiiity as Chief Executive of the Army Base Storage and Distribution Agency.

The exercise being undertaken is a revalidation of the original Investment Appraisal which decided to concentrate all vehicles at Ashchurch and is re-examining all the aspects of this case to make sure it represents the best value for money to the taxpayer. The outcome of this work should be known by the end of July.

I hope this fully answers your question.

Mr. Clifton-Brown: To ask the Secretary of State for Defence what has been the investment over the last five years in the vehicle depots at Ashchurch and Ludgershall. [33314]

Mr. Soames: This is a matter for the Army Base Storage and Distribution Agency under its framework document. I have asked the chief executive to write to my hon. Friend.

Letter from Kevin Goad to Mr. Geoffrey Clifton-Brown, dated 24 June 1996:

I am replying to your question to the Secretary of State for Defence regarding the investment over the last five years in the vehicle depots at Ashchurch and Ludgershall as this falls within my area of responsibility as Chief Executive of the Army Base Storage and Distribution Agency. The figures are as follows:–

Ashchurch

1991–92 Financial Year: £826,754

1992–93 Financial Year: £1,950,542

1993–94 Financial Year: £351,608

1994–95 Financial Year: £3,252,578

1995–96 Financial Year: £1,770,214

Ludgershall

1991–92 Financial Year: £1,080,520

1992–93 Financial Year: £2,383,098

1993–94 Financial Year: £1,061,232

1994–95 Financial Year: £3,588,618

1995–96 Financial Year: £2,160,047

I hope this fully answers your question.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Defence what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33474]

Mr. Soames: Information on sick pay is not held centrally and could be provided only at disproportionate cost.

Compensation payments are not categorised as minor, major or fatal. However, the table shows the total value of payments in respect of injury-related compensation in each of the financial years shown, and the number of payments made where compensation was more than £5,000, including interim payments. The table also shows total payments made for repetitive strain injury compensation due to the use of information technology equipment, together with the number of cases where such payments exceeded £5,000.

Year	*Total payments in respect of injury compensation* £	*Number of such payments of more than £5,000*	*Compensation paid—information technology* £	*Number of such payments of more than £5,000*
1995–96	21,279,000	446	11,037	—
1994–95	24,288,000	522	44,250	2
1993–94	16,225,000	329	25,109	2
1992–93	15,618,000	354	6,614	—
1991–92	9,058,000	259	2,812	—

Deployment (Germany)

Mr. Cox: To ask the Secretary of State for Defence how many British troops are stationed in Germany and what was the cost of this deployment in 1995. [33704]

Mr. Soames: At 31 March 1996 the personnel establishment for Army and Royal Air Force posts in Germany stood at some 29,500. At any time a number of these may be deployed on operations outside Germany, for example in former Yugoslavia. The running costs for these forces in financial year 1995–96 was some £1,340 million.

Military Aid (Colombia)

Mr. Fraser: To ask the Secretary of State for Defence how much military aid and assistance has been granted to Colombia in the last year. [33815]

Mr. Soames: Details of military assistance are confidential between Governments.

First World War (Pardons)

Mr. Foulkes: To ask the Secretary of State for Defence if he will give further consideration to requests for pardons for soldiers convicted during the first world war for the offences of *(a)* cowardice, *(b)* desertion, *(c)* disobedience and *(d)* hitting a superior officer; if he will reassess the case for a pardon for Private Bert McCubbin of the Enniskillen Fusiliers; and if he will make a statement. [33740]

Mr. Soames: Nothing has emerged since my comments during the Committee Stage of the Armed Forces Bill to suggest that the Government's decision not to recommend pardons for those soldiers executed during the first world war was inappropriate. Consequently, there are no plans to consider the issue of pardons further.

Armed Forces (Dismissals)

Mr. Cox: To ask the Secretary of State for Defence how many personnel were discharged from the British military forces for the use of illegal drugs during each of the last five years. [33710]

Mr. Soames: I refer the hon. Member to the answer given to the hon. Member for Newport, West (Mr. Flynn) on 13 June, *Official Report*, columns *252–53*.

Deployment (Cyprus)

Mr. Cox: To ask the Secretary of State for Defence how many service personnel are based in Cyprus; and how many have their families with them. [33711]

Mr. Soames: There are currently 3,854 service personnel serving in British Forces Cyprus, of whom 2,192 are accompanied. These figures exclude British service personnel serving with the UN force in Cyprus.

Military Bases (Land Contamination)

Mr. Foulkes: To ask the Secretary of State for Defence if he will place in the Library a copy of the results of the surveys undertaken by the Army and Royal Air Force into the contamination of land surrounding military bases. [33879]

Mr. Soames: My Department does not normally undertake surveys of land beyond the perimeter of sites which it occupies. If, exceptionally, such work proves to be necessary, the question of publication of the resulting documentation would be a matter for the owner of the land and, where necessary, the appropriate regulatory body.

Abbey Wood

Mr. Berry: To ask the Secretary of State for Defence, pursuant to his written answer of 11 March, *Official Report*, column *451*, what has been the outcome of the dialogue between his Department and the shell and core contractors for the new MOD building at Abbey Wood, Bristol, following their claim for additional payments. [34111]

Mr. Arbuthnot: Discussions between the Department and the Abbey Wood shell and core contractor are continuing. In order to preserve the confidentiality of the discussions, I am currently not in a position to elaborate further on this issue.

Public Rights of Way

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many public rights of way cross MOD property. [34433]

Mr. Soames: The information requested is not held centrally and could be provided only at disproportionate cost.

OVERSEAS DEVELOPMENT ADMINISTRATION

Sudan

26. **Mr. Bayley:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about bilateral aid to the Sudan. [32633]

Mr. Hanley: More than £90 million has been provided in bilateral assistance to Sudan since April 1990, including £3.4 million since January 1996. Incidentally, our share of multilateral aid has been over £62 million since January 1990.

Montserrat

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government are taking to ensure *(a)* that the people of Montserrat are provided with assisted passage to, and refuge in the United Kingdom, and *(b)* that those who remain on the island have adequate access to shelter and emergency supplies; and if he will make a statement. [33617]

Mr. Hanley: Her Majesty's Government are already providing refuge to those Montserratians resident on the island as at 1 April 1996 who travel to the United Kingdom at their own expense. They can enter the UK for up to two years under relaxed immigration conditions, which allow them to take employment, enrol in schools, claim financial support for their living and housing costs, and become eligible for health care. The question of providing assisted passage to the United Kingdom for those who remain is under consideration. Since last August we have provided a wide range of supplies, services and shelter on the island. We are actively continuing a programme of provision and improvement.

HIV

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent funding for HIV programmes will be affected by the ODA expenditure review. [33264]

Mr. Hanley: ODA's fundamental expenditure review will not affect ODA's spend on HIV/AIDS and other sexually transmitted diseases. ODA expenditure on these has increased from £7.316 million in 1990–91 to £9.43 million in 1994–95. In 1996–97, ODA expects to spend around £10 million on preventing HIV/AIDS and other sexually transmitted diseases.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current estimate of the number of orphaned children in countries affected by the HIV epidemic. [33263]

Mr. Hanley: Reliable figures on the present number of children orphaned worldwide as a result of HIV/AIDS are not available, but estimates from the joint United Nations programme on HIV/AIDS—UNAIDS—suggest that there have been 8.5 million maternal orphans under the age of 15 due to HIV/AIDS since the start of the pandemic, more than 8 million of these in sub-Saharan Africa. Other sources estimate that 15 million children in sub-Saharan Africa have lost both parents to the HIV/AIDS disease.

SCOTLAND

Goods and Services

Mrs. Roche: To ask the Secretary of State for Scotland how much his Department paid to the private sector for goods and services in 1995–96. [29451]

Lord James Douglas-Hamilton: The Scottish Office spent £152 million in 1995–96 on goods and services from external suppliers, including a number of public sector bodies such as HMSO.

Health Boards

Mr. George Robertson: To ask the Secretary of State for Scotland what has been the spending on pay and administrative costs for each health board in Scotland in each year since 1991–92. [33246]

Mr. Michael Forsyth: The information is set out in the table. The figures have been calculated using audited annual accounts of health boards. The figures for 1995–96 are currently not available.

Pay and administrative costs

£000

Health boards	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Argyll and Clyde	130,319	141,432	114,907	53,434
Ayrshire and Arran	102,042	84,441	6,413	5,815
Borders	30,901	34,130	37,348	40,194
Dumfries and Galloway	49,564	54,847	52,491	33,851
Fife	94,579	101,986	110,575	9,068
Forth Valley	90,280	98,962	64,110	25,908
Grampian	167,220	117,390	14,587	12,482

Pay and administrative costs

£000

Health boards	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Greater Glasgow	424,383	456,135	330,505	53,625
Highland	74,503	80,911	40,108	6,939
Lanarkshire	146,091	155,864	154,993	68,820
Lothian	273,619	300,841	244,028	34,722
Orkney	5,870	6,610	7,436	8,420
Shetland	7,271	6,877	7,533	8,224
Tayside	169,442	178,331	118,151	12,952
Western Isles	10,271	11,848	13,109	13,413
Scottish Totals	1,776,356	1,830,603	1,316,294	387,866

Cullen Inquiry

Mr. Frank Cook: To ask the Secretary of State for Scotland (1) if he will place copies of all documents submitted to the Cullen inquiry in the Library; [33371]

(2) if he will place in the Library all productions lodged with the Cullen inquiry relating to the grant, variation, renewal, revocation of the firearms certificates issues to Thomas Hamilton, and all memoranda, guidance, circulars from whatever source and all associated papers. [33370]

Mr. Michael Forsyth: As indicated in the answer that I gave to the hon. Member for East Londonderry (Mr. Ross) on Wednesday 19 June, column *503*, transcripts of the evidence prepared for the tribunal are being placed in the Library. It would be inappropriate to release the further papers requested.

Highlands and Islands Airports Ltd.

Mr. Macdonald: To ask the Secretary of State for Scotland what is the level of Scottish Office financial support to Highlands and Islands Airports Ltd. in 1996–97; and what estimate he has made of the level in 1997–98. [33776]

Lord James Douglas-Hamilton: Financial support of up to £8.2 million is available to Highlands and Islands Airports Ltd. for the financial year 1996–97. Planned provision for 1997–98 is set out in "Serving Scotland's Needs", the Government's expenditure plans for 1996–97 to 1998–99 for the Departments of my right hon. Friend and for the Forestry Commission. It is £8 million, rounded to the nearest £ million.

Sand-eels (Wee Bankie)

Mr. Morley: To ask the Secretary of State for Scotland if he will assess the advantages of restricting the fishing of sand-eels in the Wee Bankie areas of International Council for the Exploration of the Seas IVb. [34280]

Mr. Raymond S. Robertson: At the April Fisheries Council we requested that the Commission propose precautionary total allowable catches for sand-eels in the North sea, including ICES area IVb. The International Council for the Exploration of the Sea has been asked to offer advice on these TACs, and whether there would be any advantages in introducing local restrictions for individual sand-eel fisheries such as the Wee Bankie.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department spent assessing the costs incurred by his Department in answering parliamentary questions tabled by the hon. Member for Cunninghame, South before the meeting of the Scottish Grand Committee on 20 May. [31468]

Mr. Michael Forsyth *[holding answer 7 June 1996]:* The figures quoted were an estimate and the costs were de minimis.

DUCHY OF LANCASTER

Small Businesses

11. **Mr. Bayley:** To ask the Deputy Prime Minister if he will list the names of those organisations or individuals who have made representations to his Department about small businesses. [32614]

Mr. Freeman: My Department receives many representations from small businesses. To list all the representations received in this and other contexts would involve disproportionate cost.

16. **Lady Olga Maitland:** To ask the Deputy Prime Minister what steps he is taking to monitor deregulation of small businesses. [32620]

Mr. Freeman: I keep in regular touch with small businesses and their representative bodies about deregulation. In addition, all Government Departments now carry out a small business litmus test on every new regulatory proposal. This involves consulting small business in advance and publishing any costs which the proposal will impose on such businesses.

Economic Policy

17. **Mr. Skinner:** To ask the Deputy Prime Minister what recent initiatives he has taken in respect of presentation of Government policy on economic matters. [32622]

Mr. Willetts: The third Competitiveness White Paper, was published on 13 June. It makes clear that the Government have created the best set of economic conditions for a generation and sets out a comprehensive agenda for taking this country into the next millennium as the enterprise centre of Europe.

Inward Investment

18. **Mr. MacShane:** To ask the Deputy Prime Minister what meetings he has recently held with businessmen in China and Hong Kong to discuss inward investment into the United Kingdom. [32625]

The Deputy Prime Minister: While in China and Hong Kong last month, I held discussions on a wide range of commercial matters, including inward investment.

Charters

20. **Mr. Llwyd:** To ask the Deputy Prime Minister how many charters there are currently; and what proposals there are to increase that number. [32627]

Mr. Willetts: There are currently 42 national charters, which now cover all the key national public services. Our focus now is to revise and improve the national charters and to encourage local service providers to produce their own. There are now more than 8,000 local charters, and the number is growing.

Competitiveness

21. **Mr. Hanson:** To ask the Deputy Prime Minister what steps he intends to take to improve Britain's competitiveness relative to other major economies. [32628]

The Deputy Prime Minister: The steps the Government are taking are set out in the 1996 Competitiveness White Paper—"Creating the enterprise centre of Europe", published on 13 June. One of its key themes is the continuous improvement of the UK's performance against its main competitors in world markets.

Europe (Government Policy)

22. **Mr. Jim Cunningham:** To ask the Deputy Prime Minister what role he plays in presenting Government policy towards Europe. [32629]

The Deputy Prime Minister: I chair the ministerial committee on the co-ordination and presentation of Government policy, including presentation of the Government's policy towards Europe.

Maryport Council

23. **Mr. Campbell-Savours:** To ask the Deputy Prime Minister when he next intends to meet representatives of Maryport town council to discuss his proposals for further deregulation of industry. [32630]

Mr. Freeman: The Deputy Prime Minister has no plans to meet representatives of Maryport town council at present.

Deregulation

24. **Mr. Pike:** To ask the Deputy Prime Minister how many deregulation measures are at present undergoing consultation by Government Departments. [32631]

Mr. Freeman: Departments are currently consulting on four proposals for deregulation orders amending the Trustee Investment Act, the Licensing Act, the Late Night Refreshment Houses Act and the Civil Aviation Act. No central record is kept of consultations on deregulatory proposals that fall outside the Deregulation and Contracting Out Act, but a number of these are currently in progress.

Public Bodies

25. **Mr. Miller:** To ask the Deputy Prime Minister when he last met the head of the home civil service to discuss the implementation of the code of practice for appointments to public bodies. [32632]

Mr. Freeman: The code of practice for public appointments procedures has been drawn up by the independent Commissioner for Public Appointments. Its implementation is a matter for discussion between the Commissioner himself and those Government Departments sponsoring public bodies within his remit.

Economic Policy

Mr. Hain: To ask the Deputy Prime Minister what aspects of the Government's economic policy he will make it his priority to present in *(a)* the autumn and *(b)* spring 1997. [32626]

Mr. Willetts: We shall continue to draw attention to the economic benefits flowing from the full range of the Government's policies.

Judicial Review

Ms Hodge: To ask the Chancellor of the Duchy of Lancaster (1) on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions; [33582]

(2) how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33569]

Mr. Willetts: Since the Department was formed in May 1992, there has been no legislation introduced into Parliament by the Cabinet Office, Office of Public Service which either reverses the outcome of a judicial review or seeks to give effect by legislation to the outcome of a judicial review.

Also, since May 1992, no decisions made by the Department have been challenged by way of judicial review.

Millennium Exhibition

Mr. Dafis: To ask the Deputy Prime Minister if he will meet representatives of *(a)* church, *(b)* charity and *(c)* other non-commercial organisations to discuss their contributions to the millennium exhibition. [32777]

The Deputy Prime Minister: The millennium exhibition is a matter for the Millennium Commission, of which I am a member. I understand that meetings between members and staff of the commission with representatives from the church and groups representing other faiths have been taking place and the chairman has met the Archbishop of Canterbury to discuss the Christian element of the millennium celebrations. Representatives of charities and other non-commercial organisations should contact the Millennium Commission direct, should they wish to discuss the potential for involvement in the millennium exhibition.

Public Sector Research Establishments

Mrs. Anne Campbell: To ask the Deputy Prime Minister what assessment he has made of the contribution of the public sector research establishments to the competitiveness of the United Kingdom. [32624]

Mr. Freeman: Public sector research establishments represent an important part of the United Kingdom's science and engineering base. The contribution of the

science and engineering base to competitiveness has been set out in the third Competitiveness White Paper, published on 13 June 1996.

AGRICULTURE, FISHERIES AND FOOD

Milk Quotas

Sir Roger Moate: To ask the Minister of Agriculture, Fisheries and Food when he next expects to discuss with his European counterparts the future of milk quotas; and what is his policy with regard to the principle of milk quotas after the year 2000. [33250]

Mr. Baldry: The Commission has indicated in this year's CAP price-fixing proposals that discussions will need to begin next year on longer-term price and quota policy in the dairy sector. It remains the Government's objective to phase out quotas and price support in the dairy sector. As a first step, we have been pressing in this year's price fixing for a 5 per cent. cut in support prices combined with a 1 per cent. increase in milk quotas.

Set-aside

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the total acreage of land in England and Wales now in set-aside; and what was the total cost of payments made to farmers owning such land during 1995. [33104]

Mr. Baldry: The total acreage of land in England and Wales is set aside under the arable area payments scheme in 1994–95 was 1,294,834 acres and payments to claimants, who may or may not be the owners of the land, for that year totalled £176,818,295 up to the end of May 1996. The total acreage of land currently in set-aside will not be known until the arable area applications for the 1995–96 scheme year have been checked and collated.

CAP Fraud

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the estimated total financial loss caused by fraud within the member states of the European Union in respect of the working of the common agricultural policy. [33975]

Mr. Baldry: Neither the Commission nor the European Court of Auditors has ever placed a figure on the level of fraud within the common agricultural policy since, by definition, undetected fraud cannot be measured. Member states are, however, required to report detected CAP irregularities to the Commission. In 1995, member states reported 1,754 cases of irregularity valued at £173 million—0.6 per cent. of the CAP budget of £27.9 billion. In this context, the definition of irregularity includes all over-claims, whether simple error on the part of the claimant, negligence or fraud.

Sand-eel Fishing

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) what consultation he has had with other European states about the suspension of industrial fishing for sand-eels under the precautionary principle under EU regulation 309/86, article 13; [34282]

(2) what steps he is taking to ensure that sand-eel fishing in International Council for the Exploration of the Seas area IVb is sustainable. [34281]

Mr. Baldry: Article 13 of Council Regulation (EEC) 3094/86 applies only to exceptional cases where immediate action is necessary.

At the Fisheries Council in April I called for the introduction of total allowable catches for sand-eels in the North sea, including ICES area IVb, and elsewhere. Following this up, the International Council for the Exploration of the Sea has been asked by the UK to provide advice on appropriate levels for the TACs as well as considering seasonal and localised catch regulations taking account of the need to protect local aggregations of sand-eels in sensitive areas.

Dairy Herds

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the age profile of British dairy herds. [34115]

Mr. Baldry: The information requested is set out in the following table.

Age (years)	*Estimated number of adult animals in the Great Britain dairy herd[1] in 1994*
2	271,908
3	505,257
4	448,658
5	379,883
6	300,005
7	221,176
8	152,473
9	98,073
10	57,472
11	30,943
12	25,317
Total	2,491,165

[1] Animals which have calved.
Source:
Central Veterinary Laboratory Database.

WALES

Unitary Authorities

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the working of the new unitary authorities in Wales to date. [32894]

Mr. Gwilym Jones: The 22 new unitary authorities were successfully established on 1 April 1996.

Private Security Industry

Mr. Barry Jones: To ask the Secretary of State for Wales how many people are employed in the private security industry. [32896]

Mr. Gwilym Jones: It is estimated from the 1993 census of employment that there were around 2,500 employees employed in investigation and security activities, excluding public security, law and order activities, in Wales in September 1993.

Diesel Engines (Health Risks)

Mr. Barry Jones: To ask the Secretary of State for Wales what research he has commissioned into the impact of diesel motor engines upon public health, with particular reference to the health of children. [32885]

Mr. Gwilym Jones: In November 1995 the Department of Health published the report of the expert advisory Committee on the Medical Effects of Air Pollution, "Non Biological Particles and Health". In addition, the Department of Health, the Department of the Environment and the Medical Research Council are currently undertaking a programme of research into air pollution and respiratory disease, include the effects of vehicle emissions.

Horticulture (Accidents)

Mr. Barry Jones: To ask the Secretary of State for Wales how many people have been disabled as a result of accidents in horticulture over the last five years. [32897]

Mr. Gwilym Jones: The information requested is not available centrally.

Home Energy Efficiency Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales what steps he is taking to monitor the take-up of grants under the home energy efficiency scheme; and if he will make a statement. [33161]

Mr. Gwilym Jones: Grants are monitored on a UK basis by the Department of the Environment through a managing agent.

Community Care

Mr. Barry Jones: To ask the Secretary of State for Wales what monitoring he has undertaken of the provision of care to elderly people living in the community. [33165]

Mr. Jonathan Evans: The Welsh Office monitors provision of care to older people living in the community on a regular basis. This includes work by the social services inspectorate Wales, the regular collection and publication of statistics and longer-term research to evaluate progress.

Assisted Places Scheme

Sir Wyn Roberts: To ask the Secretary of State for Wales if he will make it his policy to prepare and publish a document evaluating the performance and results of the assisted places scheme in Wales. [33528]

Mr. Jonathan Evans: The assisted places scheme is kept under continuous review. Since 1981, some 1,850 pupils in Wales have benefited from an education at an independent school which their parents would not otherwise have been able to afford. Almost half of parents pay no fees, suggesting that the scheme is helping those who most need it, and the examination results of APS pupils are consistently high. From September, many more children will benefit from the doubling of available places and the inclusion of more participating schools.

Dentists (Overpayments)

Mr. Barry Jones: To ask the Secretary of State for Wales what is the total amount of payments overpaid to dentists on which he has resolved to make a waiver; and if he will make a statement. [33326]

Mr. Gwilym Jones: General dental practitioners' net income for the years 1988–89 to 1993–94 exceeded target income for those years. On average, the amount outstanding totalled some £16,500 for each principal in general practice, of whom there are approximately 798 in Wales. The Government have now waived these overpayment in the light of agreement with the profession on reform of the dental remuneration system
December 1995.

Cattle Slaughter Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales how many cattle were slaughtered in Wales under the 30-months scheme in the weeks beginning 6 May and 13 May. [33321]

Mr. Jonathan Evans: The figures are given in the following table:

Week beginning	*Slaughtered in Welsh abattoirs*	*Welsh cattle slaughtered in English abattoirs*
6 May	0	0
13 May	413	1,586

Speech Therapy

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning his policies for primary school age children who require speech therapy. [33323]

Mr. Gwilym Jones: The general provision of speech therapy services is the responsibility of health authorities under the National Health Service Act 1977. The level of provision is a matter for health authorities to determine in the light of local need, competing demands and resources available.

Animal Welfare

Mr. Barry Jones: To ask the Secretary of State for Wales which of his Departments is responsible for animal welfare; and if he will make a statement. [33324]

Mr. Jonathan Evans: Farm animal welfare is dealt with by the Welsh Office Agriculture Department, while welfare issues relating to wild and domesticated animals falls to the Welsh Office local government group.

Dementia

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the number of people suffering from dementia; and if he will make a statement. [33325]

Mr. Gwilym Jones: Demographic trends suggest that on average one in 20 people over 65 years have dementia. This proportion increases to one in 10 for those over 75 years. When applied to the Registrar General's latest

mid-year estimates of population for June 1994, it is estimated that in Wales just over 25,000 people aged 65 and over may be suffering from dementia.

Dual Carriageway Contracts

Mr. Win Griffiths: To ask the Secretary of State for Wales what was the last contract completed for the construction of a major dual carriageway in the open countryside; and what was the total cost of the contract, and the cost per mile, giving the figures at the time of completion and in current values. [33385]

Mr. Gwilym Jones: The A55 Rhuallt Hill scheme, completed in May 1992, cost some £11,400,000, which equates to some £4,100,000 per mile. Current price costs would be broadly similar.

Mr. Griffiths: To ask the Secretary of State for Wales what was the last contract completed for the on-line upgrading of a single carriageway to a dual carriageway; and what was the total cost of the contract, and the cost per mile, giving the figures at the time of completion and in current values. [33387]

Mr. Jones: The A55 Aber improvement, completed in September 1994, cost some £6,800,000, which equates to some £4,500,000 per mile. Current price costs would be broadly similar.

Road Works (M4)

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list *(a)* the original estimate, *(b)* the cost in the tender accepted and *(c)* the total and final outturn costs of the main works M4 contract 3, Earlswood to Lonlas. [33386]

Mr. Gwilym Jones: The pre-tender estimate of the M4 Earlswood to Lonlas scheme was £32,500,000; the tender sum accepted, £30,971,000; and the final contract cost, £39,564,000.

Mr. Griffiths: To ask the Secretary of State for Wales what study he has *(a)* commissioned and *(b)* evaluated concerning (i) the estimated loss of investment in the Swansea area because of traffic delays and congestion during the construction of the M4 from Earlswood to Lonlas and (ii) investment which could come to the Swansea area on the completion of this link in the M4. [33389]

Mr. Jones: No studies into the effects of investment in the Swansea area relating to the effects of the M4 have been commissioned or evaluated.

Mr. Griffiths: To ask the Secretary of State for Wales if he will publish the information he holds concerning traffic time delays during peak periods throughout the construction of the Earlswood to Lonlas section of the M4, with particular reference to information on the average of maximum time delays. [33390]

Mr. Jones: Times of traffic movement through the M4 Earlswood to Lonlas works during peak periods were not recorded. Delays were minimised by keeping two lanes in each direction open during construction—the same number as the existing A48 that was being upgraded.

Mr. Griffiths: To ask the Secretary of State for Wales what was the total cost of traffic management and associated engineering works necessary to maintain traffic flows throughout the contract period for the M4 contract 3, Earlswood to Lonlas new motorway section. [33391]

Mr. Jones: Total traffic management costs for the M4 Earlswood to Lonlas contract were £2,199,000.

Highway Improvement Schemes

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will make a statement on the cost evaluation techniques for major highway on-line improvement schemes, the extent to which costs relating to traffic management flow are included and his estimate of the accuracy of cost evaluation techniques. [33388]

Mr. Gwilym Jones: The costs and benefits of major highway on-line improvement schemes are evaluated over a period of 30 years from the opening of the scheme using the cost benefit analysis programme, COBA. The traffic delays which can occur during construction are evaluated using the queuing and delays at roadworks analysis programme, QUADRO, and these results are input to COBA as a cost. Both these techniques have been used over many years and the parameters and techniques are continuously updated. The analyses are subject to scrutiny at public inquiries and the Standing Advisory Committee on Trunk Road Assessment regularly examines and reports on the techniques used.

Ambulance Services Reorganisation

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has to assess sponsorship of trust applications for reorganising the ambulance services in Wales, other than those proposals emanating from the Welsh ambulance policy and advisory group. [34326]

Mr. Hague: All applications to reorganise NHS trusts are subject to statutory public consultation and appraisal by the Department.

Written Answers to Questions

Tuesday 25 June 1996

SCOTLAND

Licensing Authority

Mr. Simon Hughes: To ask the Secretary of State for Scotland on what date he last attended a meeting in his role as a member of the Licensing Authority. [33846]

Lord James Douglas-Hamilton: The Licensing Authority does not meet to consider its functions under the Medicines Act 1968. There is no statutory requirement for such meetings to be held.

Asthma

Mr. Simon Hughes: To ask the Secretary of State for Scotland what was the net ingredient cost for preparations used in the treatment of asthma, in total and per health board, for each of the last four years; and if he will make a statement. [33847]

Lord James Douglas-Hamilton: The information by health board and Scotland for the financial years 1992–93 to 1995–96 is set out in the table. The costs shown are based on the value of ingredients before the addition of dispensing fees or deduction of any discount or patient charges.

The costs relate to inhaled and oral adrenoceptor stimulants, inhaled steroids, inhaled antimuscarinic bronchodilators and theophylline preparations.

£ million

Health Board	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Argyll and Clyde	2.755	3.206	3.575	3.867
Ayrshire and Arran	3.024	3.470	3.972	4.373
Borders	0.772	0.880	0.949	0.999
Dumfries and Galloway	0.965	1.078	1.195	1.293
Fife	2.109	2.377	2.627	2.892
Forth Valley	1.726	2.004	2.275	2.490
Grampian	3.104	3.546	3.960	4.337
Greater Glasgow	6.147	7.198	8.099	8.841
Highland	1.068	1.248	1.401	1.557
Lanarkshire	3.782	4.448	5.074	5.706
Lothian	4.628	5.237	5.652	6.091
Orkney	0.097	0.109	0.130	0.144
Shetland	0.077	0.100	0.111	0.128
Tayside	2.948	3.435	3.936	4.388
Western Isles	0.117	0.142	0.172	0.201
Scotland	33.319	38.478	43.128	47.307

Mr. Hughes: To ask the Secretary of State for Scotland what was the total number of prescriptions for the treatment of asthma, in total and per health board, for the last four years. [33848]

Lord James Douglas Hamilton: The information by health board and Scotland for the financial years 1992–93 to 1995–96 is set out in the table.

The numbers relate only to inhaled and oral adrenoceptor stimulants, inhaled steroids, inhaled antimuscarinic bronchodilators and theophylline preparations.

Number of prescription items

Thousands

Health board	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Argyll and Clyde	271	292	307	319
Ayrshire and Arran	279	294	312	321
Borders	74	79	83	85
Dumfries and Galloway	98	107	116	119
Fife	209	220	231	239
Forth Valley	175	190	199	205
Grampian	293	314	331	343
Greater Glasgow	621	675	709	736
Highland	111	123	130	136
Lanarkshire	378	413	434	459
Lothian	421	449	465	481
Orkney	10	10	11	12
Shetland	11	13	13	14
Tayside	263	274	286	293
Western Isles	14	16	17	18
Scotland	3,228	3,469	3,644	3,780

Cancer Research

Mrs. Liddell: To ask the Secretary of State for Scotland what has been the total amount of funds made available by the Government for research into the causes and eradication of cancer in Scotland for each of the last 20 years. [34251]

Lord James Douglas-Hamilton: The main agency through which the Government support biomedical and clinical research throughout the UK is the Medical Research Council, which receives its grant in aid from the Department of Trade and Industry. I understand that MRC expenditure on research into cancer was £13.2 million in 1994–95, the latest full year for which figures are available. It is not possible to extract the spend in Scotland from these figures without incurring disproportionate cost.

In addition to the MRC, the chief scientist office of the Scottish Office also supports research within Scotland, and has identified the causes and eradication of cancer as one of its priority areas. The information showing its spend on cancer research, for the years in which figures are available, is set out in the table:

Year	*Amount £*
1989–90	112,862
1990–91	82,561
1991–92	181,113
1992–93	454,391
1993–94	963,910
1994–95	762,720
1995–96	521,210

Mrs. Liddell: To ask the Secretary of State for Scotland how many cases of *(a)* breast cancer, *(b)* lung cancer, *(c)* bowel cancer and *(d)* stomach cancer there have been in each of the last 20 years in Scotland. [34250]

Lord James Douglas Hamilton: The information is set out in the table which shows the numbers of registrations for specific cancers in Scotland for the years 1975 to 1994. These have been extracted from the database of the Scottish cancer registration scheme.

Numbers of cancer registrations in Scotland for specific tumour sites for the years 1975–1994

Year of registration	Breast			Lung	Large Bowel	Stomach
	Female	Male	Total			
1975	2,335	31	2,366	4,116	2,603	1,319
1976	2,242	25	2,267	4,035	2,549	1,342
1977	2,359	13	2,372	4,105	2,643	1,299
1978	2,411	22	2,433	4,396	2,730	1,289
1979	2,283	26	2,309	4,557	2,622	1,273
1980	2,504	7	2,511	4,468	2,696	1,293
1981	2,478	19	2,497	4,572	2,747	1,365
1982	2,593	18	2,611	4,616	2,780	1,309
1983	2,590	17	2,607	4,669	2,711	1,287
1984	2,625	23	2,648	4,839	2,807	1,258
1985	2,543	17	2,560	4,830	2,818	1,337
1986	2,634	16	2,650	4,636	2,926	1,240
1987	2,691	10	2,701	4,749	2,896	1,226
1988	2,693	13	2,706	4,625	2,829	1,228
1989	2,782	8	2,790	4,599	3,022	1,166
1990	2,987	20	3,007	4,713	3,146	1,104
1991	3,180	20	3,200	4,794	3,088	1,097
1992	3,216	13	3,229	4,952	3,073	1,127
1993	3,102	22	3,124	4,803	3,273	970
1994	3,043	15	3,058	4,636	3,249	1,035

Legal Aid

Mr. Wallace: To ask the Secretary of State for Scotland how many firms of solicitors in Scotland have resigned from participation in the criminal legal aid scheme in each year since 1 January 1990. [34119]

Mr. Michael Forsyth: This information is not available.

Stalking

Mrs. Fyfe: To ask the Secretary for State for Scotland how many cases of breaches of the peace reported to the procurators fiscal in the last full year for which figures are available have involved stalking; how many of those were prosecuted; and how many of these resulted in a sentence of imprisonment. [34380]

Lord James Douglas-Hamilton: I understand from my noble and learned Friend the Lord Advocate that the records kept by the procurator fiscal do not separately identify whether a case of breach of the peace includes stalking.

Wind Power

Mr. Maclennan: To ask the Secretary of State for Scotland if he will list by *(a)* location and *(b)* date submitted the number of applications for subsidy for wind power development he has received under the Scottish renewable order since October 1993, indicating which applications he has approved, which applications he has refused and which applications remain under consideration. [34564]

Mr. Kynoch: Only one order within the Scottish renewables obligation has so far been made. In terms of that, 12 wind projects were awarded contracts in December 1994, to supply electricity to ScottishPower and Hydro-Electric. Their names and locations are listed in the table.

Name	*Location*
Gallow Rig Wind Farm	Carsphairn, Kirkcudbrightshire
West Garty Wind Farm	Helmsdale, Sutherland
Beinn Ghlas Wind Farm	Taynuilt, Argyll
Bendealt Wind Farm	Evanton, Ross-shire
Meall an Turic Wind Farm	Evanton, Ross-shire
Craigenlee Wind Farm	Port Patrick, Wigtownshire
Polwhat Rig Wind Farm	Carsphairn, Kirkcudbrightshire
Helmsdale Wind Farm	Helmsdale, Sutherland
Largie Wind Project	Kintyre, Argyll
Hagshaw Hill (S10) Wind Farm	Hagshaw Hill, Lanark
Hagshaw Hill (S15) Wind Farm	Hagshaw Hill, Lanark
Laggan Windcluster	Islay, Argyll

Obtaining the necessary planning permission to construct and operate wind developments is a matter for the potential developer and the relevant planning authority.

Copyright

Mr. Maclennan: To ask the Secretary of State for Scotland when his Department plans to conclude its discussions with the Copyright Licensing Agency with a view to ensuring compliance with copyright law. [33762]

Lord James Douglas Hamilton *[holding answer 20 June 1996]:* The timing of conclusion of discussions is dependent on the outcome of the analysis of a survey of photocopying that the Copyright Licensing Agency plans to undertake at certain departmental offices in Aberdeen and Edinburgh in the autumn of this year.

Homelessness

Sir Russell Johnston: To ask the Secretary of State for Scotland what estimate he has made of the number of homeless people in *(a)* the Inverness, Nairn and Lochaber parliamentary constituency, *(b)* the Highlands and *(c)* Scotland. [34012]

Mr. Raymond S. Robertson *[holding answer 21 June 1996]:* Figures are not available by parliamentary constituency, but in 1994–95—the latest year for which figures are available—370 households applying to local authorities were assessed as homeless in the highlands. The corresponding figure for Scotland was 25,100.

OVERSEAS DEVELOPMENT ADMINISTRATION

HIV/AIDS

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs how much has been allocated specifically for HIV/AIDS projects and programmes for each year since 1993; and what is the projected level of funding for 1996–97. [33603]

Mr. Hanley: The figures reflect bilateral, and attributable multilateral, funding on activities of which the primary focus is to improve sexual health, addressing sexually transmitted infection, HIV and AIDS. It

underestimates the UK's overall contribution to HIV/AIDS projects and programmes. Figures for 1995–96 are not yet available. In 1996–97, the Overseas Development Administration expects to spend around £10 million on activities that help to reduce the risk of people of developing countries being infected with HIV, and contribute to a better quality of life for those people who are affected by HIV and AIDS.

ODA expenditure on STD/HIV/AIDS

1990–91:	£7.3 million
1991–92:	£7.7 million
1992–93:	£8.3 million
1993–94:	£9.3 million
1994–95:	£9.4 million

NORTHERN IRELAND

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Northern Ireland on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33504]

Sir John Wheeler: The Northern Ireland Departments operate a policy of continuous monitoring of health and safety issues both by line management and by appointed safety advisory officers. Most issues are of a minor nature and dealt with at operational level on a day-to-day basis. No formal record is maintained.

The Health and Safety Commission's remit does not extend to Northern Ireland. The equivalent local body is the Health and Safety division of the Department of Economic Development, which has received the following complaints from Northern Ireland Departments:

1991–92:	5
1992–93:	5
1993–94:	13
1994–95:	12
1995–96:	5

The Northern Ireland Office also operates a policy of continuous monitoring of health and safety issues. The Health and Safety Commission has not been involved in any cases.

TRADE AND INDUSTRY

Receivers' Fees

Sir Peter Fry: To ask the President of the Board of Trade in how many cases in the last three years receivers' fees have been challenged; and in how many of these instances the challenge has resulted in a reduction of the receivers' fees. [33125]

Mr. Oppenheim: This information is not maintained by my Department.

Sir Peter Fry: To ask the President of the Board of Trade what steps are taken to monitor receivers' fees to ensure value for money and fair treatment of a company's creditors and shareholders. [33122]

Mr. Oppenheim: Receivers' fees are a contractual matter between the receiver and the charge holder who appoints them.

Sir Peter Fry: To ask the President of the Board of Trade in how many cases the official receiver has sought to have receivers' fees taxed in accordance with chapter 6 of the insolvency rules 1986. [33123]

Mr. Oppenheim: Information regarding the taxing of receivers' fees could be obtained only at disproportionate cost.

Oil and Gas Exploration

Mr. Dafis: To ask the President of the Board of Trade (1) if he will list the meetings held since 1991 between Ministers in his Department and environmental non-governmental organisations to discuss oil and gas exploration in United Kingdom waters; [33116]

(2) if he will list the meetings held since 1991 between Ministers in his Department and environmental non-governmental organisations from Wales to discuss oil and gas exploration off the coast of Wales. [33117]

Mr. Page: Since 1991, DTI Ministers, and their Department of Energy predecessors, have met non-governmental environmental organisations on three formal occasions to discuss all aspects of the UK's oil and gas industry. Details of the meetings are as follows:

Royal Society for the Protection of Birds: 1991

Royal Society for the Protection of Birds: January 1993

World Wide Fund for Nature: May 1993

While no Welsh NGOs have been met in their own right, Welsh issues were discussed during at least one of the meetings.

In addition to these meetings, there have been a large number of meetings at official level and considerable correspondence with NGOs.

Mr. Dafis: To ask the President of the Board of Trade if he will list the meetings concerning oil and gas exploration in United Kingdom waters between Ministers in his Department and representatives of relevant oil and gas companies since 1991. [33115]

Mr. Page: DTI Ministers regularly meet oil company representatives, as did their Department of Energy predecessors, to discuss of the UK's oil and gas regime. Records of such meetings are not kept in a way which would identify those at which exploration in United Kingdom waters was discussed.

Caribbean Outward Missions

Ms Abbott: To ask the President of the Board of Trade how many outward missions to the Caribbean his Department has sponsored in each year from 1990; and, on each mission, how many of the participants were *(a)* male, *(b)* female and *(c)* from an ethnic minority. [33563]

Mr. Oppenheim: The number of DTI-supported trade missions to the Caribbean since 1990 was:

1990–91: 2

1991–92: 3

1992–93: 3

1993–94: 3

1994–95: 3

1995–96: 4

1996–97: 5 (proposed)

There is no information available on the male/female/ethnic composition of DTI-supported missions.

The mission scheme is administered on DTI's behalf by approved chambers of commerce or trade associations, which accept applications from eligible companies on a first come, first served basis. The company's choice of individual to send on the mission is not questioned.

Insurance Services

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is his estimate of the number of insurance and reinsurance companies approved by his Department which have failed since 1979 leaving some policy holders with claims not paid in full; and how many such companies accepted reinsurance through Lloyd's of London. [34024]

Mr. Nelson: Since 1979, approximately 40 insurance companies authorised by my Department have become insolvent. Whether such companies had placed some or all of their reinsurance through Lloyd's of London was and is a commercial matter for the insurance companies concerned and Lloyd's. Valid claims on such reinsurance policies placed at Lloyd's will have been paid in the normal way.

Mr. Bruce: To ask the President of the Board of Trade what proposals he has to improve the regulation and operation of the Lloyd's of London insurance business. [34023]

Mr. Nelson: The regulatory regime at Lloyd's has developed significantly since the passing of the Lloyd's Act 1982, and following recommendations of the Neill committee and the Walker committee. Lloyd's has in hand further important changes, set out in its regulatory plan published on 17 January 1996, which will improve regulatory standards in the market, with the aim of delivering a standard of regulation which is at least on a par with best practice in the regulation of other sectors of the financial services industry. Last summer I announced my intention to set up a review of the future statutory basis of the regulatory arrangements at Lloyd's. In view of the rapid changes that are in train at Lloyd's, this review will not start until next year, after Lloyd's reconstruction and renewal proposals have reached their conclusion and the future characteristics of the market have become clearer.

Airlines (Receivership)

Mrs. Dunwoody: To ask the President of the Board of Trade for how long *(a)* Sultan Air, *(b)* Time Air, *(c)* Omega Air, *(d)* Air Operations Europe and *(e)* Air Operations International have been registered with Companies House; and what action has been taken by (i) his Department and (ii) the official receiver in respect of these companies. [34025]

Mr. Oppenheim: There is no record of companies with the names Sultan Air, Time Air, Omega Air or Air Operations International being incorporated by the registrar of companies for England and Wales or the registrar of companies for Scotland. There is a company by the name of Air Operations of Europe Ltd., which was incorporated on 30 June 1994, but it does not appear that this company is subject to any form of insolvency proceedings. If the hon. Member is able to let me have any further information about these companies, I will consider whether any action by my Department is appropriate.

Business Links

Mr. Thurnham: To ask the President of the Board of Trade how many businesses in the north-west have received advice from business links since they were introduced. [34104]

Mr. Page: The latest returns from business links show that the number of businesses using business links in the north-west more than quadrupled between April 1995 and March 1996 from 3,103 different businesses using business links at least once in the first quarter, April to July 1995, to 12, 820 doing so in the final quarter, January to March 1996. This means that more than 980 different businesses are now using business links in the north-west each week. The figures for the final quarter are based on returns from business link partnerships in the north-west that were open before February 1996.

Mrs. Roche: To ask the President of the Board of Trade what distance he has defined as being within easy reach of a local business link outlet. [34064]

Mr. Page: No distance has been defined as most day-to-day contact with customers is likely to be over the telephone, by fax or on the premises of the business concerned. The number and location of business link outlets in each area has been determined by the local partners—TECs, chambers of commerce, local authorities, enterprise agencies and others—on the basis of their view of local needs.

Inward Investment

Mrs. Jane Kennedy: To ask the President of the Board of Trade if he will list for 1979 and for each year since 1990 the value of inward investment as a proportion of regional gross domestic product for *(a)* Merseyside and *(b)* each region of the United Kingdom. [34505]

Mr. Oppenheim: Data on the value of inward investment are not collected on a regional basis.

EU Postal Services

Dr. Howells: To ask the President of the Board of Trade which Minister will attend the meeting of European Ministers on 27 June to discuss the EC draft directive and notice on postal services. [34349]

Mr. Oppenheim: The Under-Secretary of State for Science and Technology, my hon. Friend the Member for Esher (Mr. Taylor).

Post Office

Mr. Riddick: To ask the President of the Board of Trade what is the external financing limit for the Post Office for 1996–97. [34665]

Mr. Lang: The negative external financing limit for the Post Office for 1996–97 has been reduced from £298 million to £268 million. This reflects the fact that the Post Office over-achieved its EFL for 1996–96 by £32 million; in accordance with the arrangements previously announced, an over-achievement of up to £30 million of one year's EFL is matched by a corresponding reduction in the following year's figure.

Manchester Bombing

Ms Lynne: To ask the President of the Board of Trade what *(a)* guidance and *(b)* financial assistance his Department proposes to offer to small businesses affected by the bombing of the Arndale shopping centre in Manchester on 15 June; and if he will make a statement. [33923]

Mr. John M. Taylor: Small businesses affected by the bombing of Manchester's city centre are being given guidance by Manchester business link, which is working with the chamber of commerce to provide a one-stop shop. This will enable problems to be identified and tackled so as to get businesses back to work with the minimum of delay.

The Government-backed terrorism insurance scheme will ensure that participating insurers can meet the claims made on them by those who have purchased full terrorism cover. Businesses that have not done so are likely to have a limit on the reimbursement that they can receive and have been advised to contact their insurance companies to clarify the situation. Those who have decided not to purchase full cover will have to bear any loss above the limit.

My hon. Friend the Minister of State for Social Security, the sponsor Minister for Manchester, has already held discussions with representatives from the local community to consider the task of recovery and I understand that he will continue to do so.

Late Payments

Mrs. Roche: To ask the President of the Board of Trade if he will publish *(a)* the percentage of bills paid on time by each Government Department in 1995–96 and *(b)* the amount of money represented by the percentage of bills paid late by each Government Department in 1995–96. [34061]

Mr. Page: *(a)* I refer the hon. Member to the replies that I gave on 15 May, *Official Report*, column *459* and on 22 May, *Official Report*, column *273* on this matter.

(b) The information requested is not available centrally.

Business Surveys

Mrs. Roche: To ask the President of the Board of Trade, pursuant to his answer of 13 June, *Official Report*, column *270*, if he will list the business surveys to which he referred regarding business *(a)* demand, *(b)* optimism and *(c)* output among small and medium manufacturing companies. [34059]

Mr. Oppenheim: The business surveys referred to in my answer of 13 June were the Confederation of British Industry "Small and Medium Enterprise Trends Report" of April 1996, the British chambers of commerce quarterly economic survey of April 1996 and the Institute of Directors business opinion survey of March 1996.

Bank of Credit and Commerce International

Mr. Vaz: To ask the President of the Board of Trade how long the victims of BCCI have been waiting for compensation from the liquidators. [34512]

Mr. Oppenheim: The provisional liquidation of BCCI SA in England commenced on 5 July 1991. The liquidation of BCCI SA in England commenced on 14 January 1992.

Mr. Vaz: To ask the President of the Board of Trade what is the expected percentage payment on the first dividend to the creditors of BCCI. [34562]

Mr. Oppenheim: The liquidators hope that the first dividend will be at least 20 per cent., but ultimately the dividend is a matter for the Luxembourg liquidators and the liquidators of BCCI overseas. Both the timing and the value of the dividend are subject to matters which are before the courts in England, Luxembourg and the Cayman Islands.

Mr. Vaz: To ask the President of the Board of Trade when he expects the payment of a first dividend to the victims of BCCI. [34560]

Mr. Oppenheim: The joint liquidators hope that payment of a first dividend will be made in the autumn of 1996.

Mr. Vaz: To ask the President of the Board of Trade what assessment he has made of the reasons for the time taken to resolve the conflicting laws of set-off between the jurisdictions of Luxembourg and English law. [34513]

Mr. Oppenheim: None. These are matters for the joint liquidators.

Mr. Vaz: To ask the President of the Board of Trade if he will make the solicitors currently in receipt of fees as a result of the liquidation of BCCI and the amounts that each has received. [34558]

Mr. Oppenheim: This is a matter for the joint liquidators and the information is not held by my Department.

Mr. Vaz: To ask the President of the Board of Trade when he last *(a)* met the liquidators of BCCI and *(b)* received a statement from the liquidators of BCCI. [34515]

Mr. Oppenheim: *(a)* My officials last met the joint liquidators on 31 March 1995.

(b) Three reports have been made available to the Secretary of State under regulation 12—latterly regulation 14—arising from the Insolvency Act. The last report, made up to 14 January 1995, was published on 31 July 1995.

Mr. Vaz: To ask the President of the Board of Trade how many *(a)* creditors and *(b)* former employees are currently awaiting compensation from the liquidators of BCCI. [34561]

Mr. Oppenheim: My officials are advised that a total of 35,689 claims have been made in the English liquidation of BCCI SA. Included in this total are claims from 1,077 former employees; some of these former employees are net debtors of BCCI.

Mr. Vaz: To ask the President of the Board of Trade what is the total amount of funds held by the liquidators of BCCI. [34559]

Mr. Oppenheim: My officials are advised that the total amount of funds held by the English liquidators at 15 May 1996 was US$668 million. In addition, the English liquidators have a share in funds held jointly by the liquidators of the principal BCCI estates totalling US$2.2 billion at 15 May 1996.

Mr. Vaz: To ask the President of the Board of Trade what are the current total fees paid to *(a)* the liquidators of BCCI, Touche Ross and *(b)* the solicitors of BCCI, Lovell White Durrant. [34557]

Mr. Oppenheim: My officials are advised that:

(*a*) The total fees drawn by the English liquidators for the period 5 July 1991 to 15 January 1996 amount to US$203.6 million.

(*b*) The total legal fees paid by the English liquidators to all legal advisers, including Messrs Lovell White Durrant, for the period 5 July 1991 to 15 January 1996 amount to US$82 million.

Mr. Vaz: To ask the President of the Board of Trade when the liquidators indicated to him the difficulties in the conflict of laws of set-off. [34514]

Mr. Oppenheim: These are matters for the joint liquidators. The pooling agreement authorised by the English court in June 1992 expressly reserved the right of the English court to make provisions before transmitting funds to Luxembourg. My officials are advised, however, that the issues affecting these provisions could not be addressed until the claims admission process was sufficiently advanced.

Mr. Vaz: To ask the President of the Board of Trade what steps he is taking to assist the liquidators of BCCI to reach an agreement with the Luxembourg liquidators. [34563]

Mr. Oppenheim: Any such agreement is a matter for the joint liquidators.

Post Office, Tiverton

Mr. Jamieson: To ask the President of the Board of Trade what representations he has received from hon. Members with regard to the proposed closure of the Crown post office in Tiverton, Devon. [32936]

Mr. Oppenheim *[holding answer 17 June 1996]:* This is an operational matter for the Post Office. I understand that the hon. Member for Tiverton has had extensive contact with the Post Office on this issue.

Trade Mission (Burma and Thailand)

Mr. Fatchett: To ask the President of the Board of Trade when it was decided to withdraw financial support for the trade mission to Burma and Thailand scheduled to leave on 24 June; what factors underlay the withdrawal of support; if he will list the preparation and cancellation costs to his Department; and if he will make a statement. [33382]

Mr. Nelson *[holding answer 19 June 1996]:* I announced the decision to withhold DTI financial support for trade missions to Burma, including the British Electro-technical and Allied Manufacturers Association mission on 18 March 1996. I refer the hon. Gentleman to my answer to him of that date, *Official Report*, column *50*. This was so that we could evaluate the results of the DTI-supported mission to Burma in February this year. There were no costs incurred by my Department resulting from the withholding of financial support for the BEAMA visit to Burma.

Oil Installations

Mr. Llew Smith: To ask the President of the Board of Trade if he will list the international conventions currently in place covering residual liability for defunct sea-based oil installations, indicating where the United Kingdom is a party. [33886]

Mr. Eggar *[holding answer 21 June 1996]:* I am not aware of any international conventions covering residual liability for redundant offshore installations.

However, the International Maritime Organisation guidelines and standards for the removal of offshore installations and structures on the continental shelf of 1989, made bearing in mind article 60(3) of the UN law of the sea convention of 1982, which the UK has not yet ratified, provide that the coastal state should ensure that legal title to installations and structures which have not been entirely removed from the sea-bed is unambiguous and that responsibility for maintenance and the financial ability to assume liability for future damages are clearly established.

Innovation and Technology Start-up Schemes

Mr. Ingram: To ask the President of the Board of Trade what was the total allocation of funds from his Department's budget for the innovation and technology start-up schemes administered by his Department in the last year for which figures are available. [34112]

Mr. Ian Taylor *[holding answer 24 June 1996]:* Details of my Department's innovation and technology budget are published in the DTI expenditure plans report, a copy of which is available in the Library of the House.

High technology start-up companies are specifically supported under the small firms merit award for research and technology scheme, on which £10.9 million was spent in 1995–96. Technology-based start-ups may also benefit from the help and advice offered by innovation and technology counsellors in business links, on which DTI spent £1.3 million in 1995–96. This includes sign posting to business innovation centres, incubators, entrepreneurship programmes and other specialist local provision.

High technology start-ups will, also be offered support under the "Biotechnology Means Business" programme and may benefit from elements of the information society initiative.

More generally, business links provide basic advice to start-up business and access to locally available services, typically involving counselling, training and other services.

DEFENCE

Listed Buildings

Dr. David Clark: To ask the Secretary of State for Defence how many listed buildings are included in the married quarters housing stock owned by his Department which is proposed for privatisation. [33754]

Mr. Arbuthnot: There are no listed buildings included in the portion of the estate which it is intended to transfer freehold with vacant possession on completion. The position on the stock which the Department intends initially to underlease from the purchaser is currently being established.

Mr. Gordon Foxley

Mr. Spellar: To ask the Secretary of State for Defence what action his Department is taking to recover moneys from Mr. Gordon Foxley. [33648]

Mr. Arbuthnot: My Department has obtained a summary judgment from a Queen's Bench high court master and a ruling on the sum of money to be paid by Gordon Foxley. A statutory demand has been served on Foxley seeking payment. A decision on necessary further action will be taken in the event of non-payment within the time required by the statutory demand. We continue to investigate the Foxley case to ensure that the greatest possible recovery is made.

Falkland Islands

Mr. Cox: To ask the Secretary of State for Defence what was the total cost to his Department of the British military forces based in the Falkland Islands in 1995. [33870]

Mr. Soames: The estimated outturn cost to my Department of the Falkland Islands garrison over the financial year 1995–96 was approximately £70 million.

Bett Review

Mr. Alfred Morris: To ask the Secretary of State for Defence, pursuant to his answer of 10 June, *Official Report*, column *46*, when he expects to make a definitive announcement about Sir Michael Bett's independent review of armed forces' career and manpower structures and terms and conditions of service, to which the Minister of State referred in his answer to the right hon. Member for Selby (Mr. Alison) of 20 February, *Official Report*, column *96*. [33894]

Mr. Soames: I have nothing to add to my answer of 10 June, *Official Report*, column *46*.

Ms Lindis Percy

Mr. Madden: To ask the Secretary of State for Defence what action he has taken in respect of the action of US military personnel against Ms Lindis Percy; and if he will make a statement. [34309]

Mr. Soames: None. As the US security personnel who detained Ms Percy at RAF Mildenhall on 21 August 1995 were acting in performance of their official duties, this matter falls within the jurisdiction of the US authorities in accordance with the Visiting Forces Act 1952.

Visiting Forces Act

Mr. Madden: To ask the Secretary of State for Defence what plans he has to amend or repeal the Visiting Forces Act 1951; and if he will make a statement. [34311]

Mr. Soames: The 1996 Armed Forces Bill includes a clause which amends the Visiting Forces Act 1952 to enable that Act's provisions to be extended to a wider range of countries than at present.

United Kingdom-Israel Defence Agreement

Mr. Fatchett: To ask the Secretary of State for Defence if he will place in the Library a copy of the recent United Kingdom-Israel defence agreement. [34213]

Mr. Soames: No such agreement exists.

Police

Mr. Byers: To ask the Secretary of State for Defence which Minister in his Department had responsibility for the Ministry of Defence police for the period 1990 to 1994. [34436]

Mr. Soames: The Ministry of Defence police is an independent police force with full constabulary powers operating under the Ministry of Defence Police Act 1987. The responsibility of the Secretary of State is limited to his general superintendence of MDP, under the Act and through the mechanisms of the MOD Police Committee, delegated to the Minister responsible for defence procurement from 1990 to April 1992, and since then to the Minister of State for the Armed Forces.

Judicial Review

Ms Hodge: To ask the Secretary of State for Defence how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33568]

Mr. Soames *[holding answer 19 June 1996]:* This information is not held centrally, but it is known that no legislation introduced by my Department resulted from a judicial review decision.

Porton Down

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on the use of service personnel in radiation tests at the Chemical and Biological Defence Establishment, Porton Down since 1966; over what period the tests were carried out; how many service personnel were used in the tests and if they were volunteers; what notice service personnel were given of the nature of the experiments and the risks involved; and what types of tests were carried out. [34010]

Mr. Arbuthnot *[holding answer 21 June 1996]:* No radiation tests have been conducted on service personnel at Porton Down. In the 1950s and early 1960s two types of studies were conducted which involved labelling materials with low-level radioactive tracers so that the behaviour of the material could be readily observed. Radio-labelling is a standard medical procedure.

FOREIGN AND COMMONWEALTH AFFAIRS

Kashmir

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the conclusions of the report prepared by British high commission officials from Delhi on elections held in Kashmir during May; if the officials judged those elections to be properly conducted and free and fair; if they agreed with the official estimates of turnouts; and if he will make a statement. [33997]

Mr. Hanley: The report of the British high commission representative who visited Kashmir during the elections is an internal document which will not be placed in the Library.

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will urge the Government of India to declare the Kashmir elections invalid; if he will urge that state assembly elections in Kashmir be not held; and if he will make a statement. [34029]

Mr. Hanley: We continue to believe that state elections in Kashmir could contribute to the development of a genuine political process, which is a long-standing element of our policy on Kashmir.

Bahrain

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent visit to Bahrain by the Minister of State, the right hon. Member for Richmond and Barnes (Mr. Hamley), with particular reference to his assessment of the human rights situation. [34263]

Mr. Hanley: I visited Bahrain from 16 to 18 June. I was received by His Highness the Amir and met a number of Ministers and senior officials, as well as the President of the Shura Council.

The warm welcome I received in Bahrain reflects the strong ties and excellent relations Bahrain has with Britain. We are fortunate to have such good friends, not only in Bahrain but in the region as a whole. We must ensure that the close co-operation we enjoy is maintained.

I discussed a wide range of issues during my visit, including human rights. I used the opportunity to set out a number of human rights concerns which have been raised in the United Kingdom. As a result of my discussions, I am clear that the Bahraini authorities will in the near future conclude an agreement to allow a visit by the International Committee of the Red Cross to take place.

We support the efforts by the Government of Bahrain to address the difficulties there, and I welcome the Amir's recent decision to expand the powers of the Shura Council.

HOME DEPARTMENT

Firearms

Mr. Cox: To ask the Secretary of State for the Home Department how many people in England and Wales have a conviction for illegal possession of firearms. [32876]

Mr. Maclean: The information requested could be provided only at disproportionate cost. However, the data in the table show the number of persons convicted at all courts in 1994 for offences of illegal possession of firearms.

Number of persons found guilty at all courts of illegal possession of firearms by type of offence

England and Wales 1994

Offence description	*Convictions*
Indictable offences	
Possessing etc. firearm or ammunition without certificate [Firearms Act, 1968, section 1(1)] Group I	400
Possessing etc. shot gun without certificate [Firearms Act, 1968 section 2(1) as amended by CJA 1988 section 44] Group II	305
Possessing or distributing prohibited weapons or ammunition [Firearms Act, 1968 section 5(1)] Group I	[1]465
Possession of firearms by persons previously convicted of crime [Firearms Act, 1968 section 21(4)] Group II	42
Possession of firearms by persons previously convicted of crime [Firearms Act, 1968 section 21(4)] Group II	25
Possession of firearms by persons previously convicted of crime [Firearms Act, 1968 section 21 (4)] Group III	43
Summary offences	
Person under 14 having firearm or ammunition in his possession [Firearms Act, 1968 section 22(2)] Group I	—
Person under 15 having with him a shot gun without adult supervision [Firearms Act, 1968 section 23(3)] Group II	—
Person under 14 having with him an air weapon or ammunition [Firearms Act, 1968 section 22(4) Group III	7

[1] Includes CS gas canisters Group I—Firearms etc., other than as described in Group II or III.

Group II—Shotguns as described in the section 1(3)(a) of the Firearms
Act 1968.

Group III—Air weapons as described in section 1(3)(b) of the Firearms Act 1968.

Guns Amnesty

Ms Janet Anderson: To ask the Secretary of State for the Home Department how the weapons handed in during the last guns amnesty following the Hungerford tragedy in 1988 were disposed of. [33992]

Mr. Maclean: Firearms selected as being of significant scientific or national heritage value were allocated to suitably authorised, publicly funded museums or other public bodies. The remainder—the vast majority—were destroyed in line with the usual practice of local police forces.

Juvenile Crime

Mr. Cox: To ask the Secretary of State for the Home Department what percentage of reported crime in England and Wales in 1995 was committed by juveniles. [33869]

Mr. Maclean: The information requested is not collected centrally.

Criminal Injuries (Compensation)

Mr. Win Griffiths: To ask the Secretary of State for the Home Department what is *(a)* the shortest and *(b)* the longest time in the last three years for the Criminal Injuries Compensation Board to deal with an application for compensation from victims of crime. [34424]

Mr. Maclean: The shortest time is six weeks and two days. Information about the longest time is not available. Some cases can take several years to settle because of the need to obtain conclusive medical evidence and to deal with any subsequent appeal. The board makes interim awards where possible.

Alternative Burials

Mr. Martyn Jones: To ask the Secretary of State for the Home Department what is his policy with regard to the use of *(a)* alternative coffins and *(b)* woodland burial sites; and if he will make a statement. [34345]

Mr. Sackville: The type of coffin to be used, and the place of burial, are generally matters for the person responsible for making the funeral arrangements and for the owner of the burial ground. Woodland burial sites are subject to the Local Authorities' Cemeteries Order 1977 if provided by a local authority. Otherwise, their administration is a matter for their owners.

West Midlands Police

Mr. Corbett: To ask the Secretary of State for the Home Department if he will call for a report from the chief constable of West Midlands police into the results of the inquiry by Leicestershire police into 116 allegations made about eight officers. [34437]

Mr. Maclean: No. This is a matter for the chief constable of West Midlands and the Police Complaints Authority.

Metropolitan Police

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when he next plans to review the funding of, and the funding formula for, the Metropolitan police; and if he will make a statement. [34485]

Mr. Maclean: Funding is allocated to the Metropolitan police under the formula which divides available resources between all forces in England and Wales. In addition, the Metropolitan police receive a special payment, £130 million in 1996–97, in recognition of their national and capital city functions. We are currently considering what, if any, changes need to be made to the formula, and to the level of the special payment, for 1997–98.

Probation Service

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the original estimated commencement date for the case records administration and management system for the probation service in England and Wales; what are the revised arrangements; and if he will make a statement. [31388]

Mr. Sackville *[holding answer 11 June 1996]:* The case records administration and management system was introduced in two area probation services on a pilot basis in November 1995 as planned. This piloting identified both some programming faults and changes needed to ensure that the system fully reflects current practice. These are now being undertaken; we expect the system to be ready for operational use within three to four months, about six months later than originally planned.

Mr. Carlile: To ask the Secretary of State for the Home Department how much money was originally allocated to CRAMS for the probation service in England and Wales; what is the most recent estimate of the actual cost; and if he will make a statement. [31389]

Mr. Sackville *[holding answer 11 June 1996]:* The business case for the national probation service information systems strategy, of which the case records administration and management system is a part, was based on an estimate three years ago that the total capital and revenue costs over 10 years of implementing the strategy would be £97 million. That estimate remains valid. The costs of developing CRAMS itself, which is one of 15 prospective software applications within the strategy, are commercially confidential but represent less than 1 per cent. of the total cost of the strategy and remain within budget.

Crime Clear-up Rate

Mr. Flynn: To ask the Secretary of State for the Home Department what was the clear-up rate for all crimes in *(a)* England and *(b)* Wales in (i) 1980, (ii) 1986 and (iii) 1995. [33891]

Mr. Maclean *[holding answer 24 June 1996]:* The information requested is given in the following table.

Clear-up rate (per cent.) for notifiable offences recorded by the police

Year	*England*	*Wales*
1980	39	50
1986	31	40
1995	26	34

TREASURY

Recruitment

Mr. Donohoe: To ask the Chancellor of the Exchequer in what circumstances his Department or its executive agencies uses an executive search or employment agency to recruit staff in preference to using personnel staff within his own Department or its executive agencies. [31547]

Mrs. Angela Knight: The Treasury and the Chancellor's other Departments and agencies use executive search or employment agencies to recruit staff when it is judged more efficient to do so—for example, to fill a post requiring very specialist skills.

Vehicle Excise Duty

Dr. Michael Clark: To ask the Chancellor of the Exchequer when he will complete his review of vehicle excise duty; what account he is taking of the consequences of changes for *(a)* the implementation of technologies to reduce toxic emissions and *(b)* fuel efficiency and the reduction of carbon dioxide; and if he will list the organisations he has consulted. [34240]

Mr. Heathcoat-Amory: In presenting his last Budget, my right hon. and learned Friend said that he intended to look into ways of using vehicle excise duty to encourage the use of low-emission vehicles. In doing so, he will take account of a wide range of factors, and draw on a variety of sources, before reaching a judgment on those issues for his forthcoming Budget.

Late Payments

Mrs. Roche: To ask the Chancellor of the Exchequer for what reasons he set Government Departments a target of paying 90 per cent. of their bills on time; and when this target will be raised. [34062]

Mrs. Angela Knight: The Treasury believes that it is important to pay as many bills on time as possible, while recognising that there will always be a proportion of bills that are wrong or goods that are faulty.

From 1 June, all Government Departments and their agencies are required to:

—pay all invoices not in dispute in 30 days or the agreed contractual terms if otherwise specified; and

—aim to pay 100 per cent. of invoices, including disputed invoices once the dispute has been settled, on time in these terms. No Department should fall below 95 per cent. for undisputed bills.

Co-proxamol

Mr. Flynn: To ask the Chancellor of the Exchequer what was the total number of deaths in each of the past four years in which co-proxamol was identified as *(a)* the only drug involved and *(b)* one of the drugs involved. [33890]

Mrs. Angela Knight *[holding answer 24 June 1996]:* The numbers of deaths registered in 1992 in England and Wales in which co-proxamol was identified as *(a)* the only drug involved and *(b)* one of the drugs involved are published in table 10 of the publication, "Mortality statistics: injury and poisoning, England and Wales", series DH4, no. 18, a copy of which may be accessed by the House of Commons Library. This table also shows how many of the deaths mentioned alcohol.

The number of deaths that occurred between 1993 and 1995 in England and Wales in which co-proxamol was identified as *(a)* the only drug involved and *(b)* one of the drugs involved are shown in the table.

Deaths from Co-proxamol in England and Wales, 1993–95

	1993		1994		1995	
Deaths by poisoning—accident	15	(7)	33	(10)	21	(8)
—co-proxamol only	14	(7)	27	(8)	17	(8)
—co-proxamol + other drugs	1	(—)	6	(2)	4	(—)
Deaths by poisoning—suicide	82	(17)	78	(10)	84	(11)
—co-proxamol only	68	(13)	62	(9)	69	(8)
—co-proxamol + other drugs	14	(4)	16	(1)	15	(3)
Deaths by poisoning—undetermined	34	(9)	61	(15)	75	(23)
—co-proxamol only	31	(8)	47	(8)	60	(17)
—co-proxamol + other drugs	3	(1)	14	(7)	15	(6)

The figures in brackets indicate the number of co-proxamol deaths with a mention of alcohol. These figures are already included in the unbracketed totals and should not be added to them.

Paymaster Scheme

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if deposits placed with the Exchequer by NHS trusts through the Paymaster scheme are recorded as reducing the public sector borrowing requirement; and if he will make a statement. [34252]

Mr. Waldegrave *[holding answer 24 June 1996]:* NHS trusts are public corporations. As such, any transactions solely between the trusts and central Government do not affect the public sector as a whole.

ATTORNEY-GENERAL

Crown Prosecution Service

Mrs. Gorman: To ask the Attorney-General when he expects *(a)* to lay before Parliament and *(b)* to publish an annual report of the Crown Prosecution Service for the year 1995–96. [33392]

The Attorney-General: The annual report for the Crown Prosecution Service was laid before Parliament this morning and then published.

Copies have been placed in the Libraries of both Houses.

Health and Safety

Mr. Ian McCartney: To ask the Attorney-General what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33503]

The Attorney-General *[holding answer 24 June 1996]:* This information is not readily available in the form requested and could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Attorney-General what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33502]

The Attorney-General *[holding answer 24 June 1996]:* There have been no fatal injuries in the last five years in the departments and agencies for which I am responsible. Information on major injuries—those required to be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985—is as follows:

Crown Prosecution Service[1]	*Sick pay*	*Compensation*
1994–95	825	1,000
1995–96	235	5,500

[1] The Crown Prosecution Service keeps central records of sick pay paid as a result of major injuries only where compensation is also paid, and sick pay records may be deleted after three years.

Serious Fraud Office/Treasury Solicitor's Department/Government Property Lawyers/Legal Secretariat to the Law Officers

Nil.

Information with respect to minor injuries[1] is as follows:

	Sick pay	*Compensation*
Serious Fraud Office		
1992–93	1,257	Nil
Treasury Solicitor's Department		
1992–93	238	150
1993–94	120	893

[1] Information as to minor injuries in the Crown Prosecution Service is not recorded centrally and could be obtained only at disproportionate cost.

Government Property Lawyers/Legal Secretariat to the Law Officers

Nil.

None of the amounts in the table relates to incidents involving information technology. One incident involved expenditure exceeding £5,000. Compensation of £5,500 was paid by the Crown Prosecution Service in 1995–96 in respect of an employee's broken arm.

Mr. McCartney: To ask the Attorney-General on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33500]

The Attorney-General *[holding answer 24 June 1996]:* Health and safety problems in the departments and agencies for which I am responsible have been reported to the Health and Safety Executive in the last five years as follows: once in 1991, twice in 1992, once in 1993, three times in 1994 and four times in 1995. The Health and Safety Executive became involved on one occasion in 1994.

Mr. McCartney: To ask the Attorney-General how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33501]

The Attorney-General *[holding answer 24 June 1996]:* There have been no fatal injuries in the last five years in the departments and agencies for which I am responsible. The number of major injuries—defined as those required to be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985—is as follows:

Crown Prosecution Service

1991: 1
1992: 2
1993: 1
1994: 2
1995: 4

Serious Fraud Office

1991: 3
1992: 1
1993: 0
1994: 0
1995: 1

Treasury Solicitor's Department/Government Property Lawyers/Legal Secretariat to the Law Officers

Nil.

The number of minor injuries[1] is as follows:

Serious Fraud Office

1991: 2
1992: 8
1993: 19

[1] Information as to minor injuries in the Crown Prosecution Service is not recorded centrally and could be obtained only at disproportionate cost.

1994: 8
1995: 8

Treasury Solicitor's Department

1991: 12
1992: 13
1993: 8
1994: 3
1995: 7

Legal Secretariat to the Law Officers

1991: 0
1992: 3
1993: 0
1994: 0
1995: 1

Government Property Lawyers

Nil.

None of the injuries was related to information technology.

LORD CHANCELLOR'S DEPARTMENT

Divorce (Pensions)

Lady Olga Maitland: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Government intend to commence section 166 of the Pensions Act 1995 concerning the courts' treatment of pensions on divorce. [34664]

Mr. Streeter: It remains the Government's intention that applications for orders under section 166 of the Pensions Act 1995 will be able to be made where the petition for divorce is presented to the court on or after 1 July 1996.

The regulations and accompanying rules of court will come into force on 1 August 1996 to allow the judiciary, the legal profession and the pensions industry sufficient time to become familiar with the requirements before being asked to consider such applications.

The policy on the content of the regulations under section 166 of the Pensions Act 1995 has been agreed and a summary of the proposals is available in the Library. The regulations will be laid shortly. Separate legislative vehicles will be provided for Scotland and Northern Ireland.

Mental Health

Mrs. Ann Winterton: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement setting out his conclusions on those aspects of the Law Commission report on mentally incapacitated adults about which decisions have already been taken on which further consultation is not deemed necessary. [34118]

Mr. Streeter: The Government have indicated that they do not intend to legislate on the basis of the Law Commission's proposals in their current form. Given the importance and sensitivity of this subject, the Government do not believe it is appropriate to make final decisions in this area until full public consultation has been completed.

ENVIRONMENT

Global Warming

Mr. McGrady: To ask the Secretary of State for the Environment what is his assessment of the report published by the intergovernmental panel on climate change on global warming; and if he will make a statement. [33558]

Mr. Clappison: The intergovernmental panel on climate change second assessment report is the most comprehensive and authoritative review of climate change ever undertaken and provides an excellent basis for developing policy further under the framework convention on climate change.

The key conclusions—that the balance of evidence suggests a discernible human influence on global climate, that there will be far-reaching effects on natural systems and human society for many generations to come and that major reductions in emissions of greenhouse gases will be necessary eventually to limit future global temperature rise—show that action by the international community is now urgent.

In fulfilment of its commitments made under the climate change convention, the United Kingdom is well on target to return its greenhouse gas emissions to 1990 levels by 2000. The United Kingdom is pressing developed countries to reduce greenhouse gas emissions to 5 to 10 per cent. below 1990 levels by 2010 at the forthcoming negotiations to strengthen commitments under the convention.

Asbestos

Mr. Cohen: To ask the Secretary of State for the Environment if he will institute a total ban on the use of all asbestos in the United Kingdom; and if he will make a statement. [33634]

Mr. Clappison: The United Kingdom takes the view that prohibitions on the marketing and use of asbestos should be based on agreements within the European Union. The Asbestos (Prohibitions) Regulations 1992 and the Asbestos (Prohibitions) Regulations (Northern Ireland) 1993 implement directive 91/659/EEC and prohibit the use of many forms of asbestos. Efforts will continue within the United Kingdom to find suitable alternatives to the remaining uses of asbestos, and to encourage the use of substitute products, but a total ban will not be instituted without EU agreement.

Mr. Cohen: To ask the Secretary of State for the Environment what campaigns the Health and Safety Executive plans to instigate to warn of the dangers of asbestos dust. [33636]

Sir Paul Beresford: In autumn this year, the Health and Safety Executive is planning to launch a campaign on managing asbestos in workplace buildings under the umbrella of the wider "Good Health is Good Business" campaign. This builds on HSE's asbestos awareness campaign which was launched in February 1995.

Mr. Cohen: To ask the Secretary of State for the Environment what proposals he has brought forward for converted European Union action on asbestos; and if he will make a statement. [33629]

Mr. Clappison: The United Kingdom has not brought forward any proposals for "concerted European Union action on asbestos", but our officials continue to play an active part in EU negotiations, and to promote awareness and understanding in EU discussion of asbestos issues.

Mr. Cohen: To ask the Secretary of State for the Environment how many licences for asbestos removal have been granted in each of the last 10 years; how many inspections relating to those with such licences have taken place in each year; and how many licences have been revoked each year. [33632]

Sir Paul Beresford: The number of asbestos removal licences granted under the Asbestos (Licensing) Regulations 1983 in each of the last 10 years and the number of licences that have been revoked each year is given in the table.

The information in the table also shows the number of visits each year to companies or contractors licensed at that time under these regulations.

Licences granted[1]		Licences revoked		Visits	
Year	Number	Year	Number	Year	Number
1985	1,588	1985	1	1985	2,709
1986	936	1986	2	1986	1,654
1987	487	1987	2	1987	941
1988	1,082	1988	1	1988	533
1989	483	1989	4	1989	677
1990	430	1990	0	1990	401
1991	483	1991	0	1991	385
1992	306	1992	0	1992	373
1993	288	1993	0	1993	399
1994	346	1994	3	1994	805
1995	276	1995	0	1995	735

[1] Includes both new licences and renewals of existing licences.

Mr. Cohen: To ask the Secretary of State for the Environment what was the total amount of asbestos used in the United Kingdom *(a)* last year and *(b)* over the past decade. [33633]

Mr. Clappison: This information is not available in the required form. The use of asbestos may be estimated from import figures, although imported unmanufactured asbestos may be made into products which are subsequently exported. Therefore, an accurate figure for asbestos usage in the United Kingdom cannot be given. The figures for imports of unmanufactured asbestos which are available from 1987 to 1994 are listed in the table. No figures are yet available for imports last year.

Imports of unmanufactured asbestos into the United Kingdom from 1987

Year	Import (thousand tonnes)
1987	23.7
1988	24.3
1989	19.7
1990	16.0
1991	11.2
1992	10.3
1993	9.7
1994	11.5

Mr. Cohen: To ask the Secretary of State for the Environment how many reports he has received relating to leaks in masks used in association with the removal of asbestos in the last three years; what research he has commissioned into achieving better standards for such masks; and if he will make a statement. [33635]

Sir Paul Beresford: I have received no such reports. However, the Health and Safety Executive has kept this matter under review and will shortly publish the results of research into the field performance of respirators used for asbestos removal work.

It is the responsibility of manufacturers of respiratory protective equipment to carry out research to improve the standards of their products.

Coal Authority Property

Mr. Trickett: To ask the Secretary of State for the Environment (1) what staff resources are currently being deployed by English Partnerships in preparing for the acquisition of the Coal Authority's property portfolio; and what is English Partnerships' estimate of remaining staff time to complete these preparations; [33643]

(2) what timetable has been agreed by English Partnerships for the acquisition of the Coal Authority portfolio. [33642]

Sir Paul Beresford: English Partnerships is seeking to complete the transfer of a large portfolio of coalfield sites from British Coal at the earliest possible date, subject to the completion of a full due diligence study and an investigation of the title for each of the sites. The portfolio will combine sites that have little or no development potential with more marketable assets, to achieve a balanced package. British Coal is currently considering English Partnerships' proposals. By 31 May, English Partnerships had deployed some 700 staff days in preparing for the transfer of the portfolio. It is not possible to estimate the remaining staff time that will be required to complete the preparations.

Mr. Trickett: To ask the Secretary of State for the Environment what financial resources English Partnerships has earmarked for the development of the site at Green lane, Featherstone. [33644]

Sir Paul Beresford: The former colliery site at Green lane, Featherstone is currently owned by British Coal. It is intended that British Coal will transfer the land to English Partnerships as part of the proposed transfer of a large portfolio of coalfield sites. English Partnerships has conducted a feasibility study for the redevelopment of the site and has devised a strategy for the reclamation and servicing work. English Partnerships is currently undertaking a full scheme appraisal which must be satisfactorily completed before it commits any resources.

Home Help Service

Mr. Milburn: To ask the Secretary of State for the Environment what plans he has to introduce legislation to compel local authorities to privatise the home help service. [33792]

Sir Paul Beresford: There are no current plans to do so. Local authorities are required, however, to spend 85 per cent. of their 1996–97 special transitional grant for all community care services in the independent sector.

Construction Industry

Mr. Wigley: To ask the Secretary of State for the Environment what steps he has taken during the past 12 months to encourage sustainable growth in the construction sector; by what criteria he measures the success of his policy; and how he assesses the performance of the construction sector over the past 12 months measured against his own objectives. [33775]

Mr. Clappison: The Government's overall economic objective is to promote sustained economic growth and rising prosperity by continuing to pursue economic polices based on low inflation and sound public finances. The construction industry will benefit from these policies as the wider economy continues to grow.

The position of the construction sector is assessed in regular "state of the industry" reports. I would also refer the hon. Member to the DOE information bulletins held in the House of Commons Library, which contain

information on the construction industry. The latest bulletins of interest are No. 238, covering industry output and employment in the first quarter of 1996, and No. 244, covering new construction orders in April 1996.

Mr. Wigley: To ask the Secretary of State for the Environment what was the relative level of activity in the construction sector over the past 10 years, taking 1985 as a base. [33744]

Mr. Clappison: The level of the total volume of output in the construction industry relative to 1985 was as follows:

1985:	100.0
1986:	103.5
1987:	115.3
1988:	126.4
1989:	133.2
1990:	134.5
1991:	125.4
1992:	120.4
1993:	118.1
1994:	121.9
1995:	120.8

Bricks

Mr. Wigley: To ask the Secretary of State for the Environment what is his estimate of the total stock of new bricks standing available for use at the latest available date; and what was the corresponding figure 12 months earlier. [33748]

Mr. Clappison: At the end of April 1996, brick manufacturers reported 1.1 billion bricks in stock, equivalent to 16½ weeks supply at the current rate of deliveries. In April 1995, the total stock was 0.8 billion, equivalent to 12 weeks delivery at the lower rate of delivery applying then.

Mr. Wigley: To ask the Secretary of State for the Environment what is his latest estimate for the annual volume and value of bricks *(a)* imported into and *(b)* exported from the United Kingdom. [33752]

Mr. Clappison: The information on overseas trade is as follows:

1995	*Number (million)*	*Value (£ million)*
Exports	25.9	9.5
Imports	43.6	7.9

Further information is published by HMSO in the business monitor MM20 for trade with non-EC countries and in Business monitor MQ20 for trade with EC countries, copies of which are held in the House of Commons Library. The relevant tariff code for clay bricks is 690410000, which is part of SITC 662.41.

Local Authority Joint Tenancies

Mr. Chris Davies: To ask the Secretary of State for the Environment what plans he has to *(a)* withdraw and *(b)* amend circular 7/96—"Local Authority Joint Tenancies"—published by his Department on 14 May; and if he will make a statement. [33902]

Mr. Clappison: My right hon. Friend has no plans to either amend or withdraw the circular.

Mr. Davies: To ask the Secretary of State for the Environment what representations he has received concerning the wording and effect of circular 7/96—"Local Authority Joint Tenancies"—issued by his Department on 14 May. [33905]

Mr. Clappison: My Department has received three letters and several telephone calls about circular 7/96—"Local Authority Joint Tenancies".

Planning Policy

Mr. Chris Davies: To ask the Secretary of State for the Environment when he will publish the revised edition of planning policy guidance paper 6. [33904]

Sir Paul Beresford: The revised version of PPG6 was published and announced on 20 June.

Mr. Martyn Jones: To ask the Secretary of State for the Environment what plans he has to bring about a policy to encourage the internalising of external costs in assessing planning applications; and if he will make a statement. [33974]

Sir Paul Beresford: Section 54A of the Town and Country Planning Act 1990 requires the local planning authority to determine planning applications in accordance with the development plan. Guidance on the contents of development plans is contained in planning policy guidance note 12, published in 1992. The guidance covers transport and other infrastructure; economic, social and environmental considerations; energy conservation; and other aspects of development control. This guidance, combined with other PPGs, is designed to ensure that local planning authorities take into account all external costs or impacts of development in assessing development proposals.

Local Government Reorganisation

Mr. Rowe: To ask the Secretary of State for the Environment if he will list the aggregate bids for supplementary credit approvals submitted by the local authorities in *(a)* Berkshire, *(b)* Cambridgeshire, *(c)* Cheshire, *(d)* Devon, *(e)* Essex, *(f)* Hereford and Worcester, *(g)* Kent, *(h)* Lancashire, *(i)* Nottinghamshire and *(j)* Shropshire to meet the prospective transitional costs of proposed changes to local government structure for 1996–97. [34041]

Sir Paul Beresford: For the 1996–97 reorganisation costs scheme, authorities in Berkshire, Devon, Essex, Hereford and Worcester, and Nottinghamshire were invited in October 1995 to submit the bids on the basis that structural change orders for these reorganisations may be made with a reorganisation date of 1 April 1997 and in time to allow their bids to be considered. In the event, this was not the case. The aggregate bids submitted at that stage were:

	£ million
Berkshire	[1]16.341
Devon	19.699
Essex	4.671
Hereford and Worcester	[2]1.465
Nottinghamshire	12.251

[1] Two authorities did not submit bids.[2] Three authorities did not submit bids.

Bids were not invited from authorities in Cambridgeshire, Cheshire, Kent, Lancashire and Shropshire because at that stage the final recommendations on the future of local government in those areas had not been received from the Local Government Commission for England.

Ordnance Survey Maps

Mr. Fabricant: To ask the Secretary of State for the Environment for what reasons Ordnance Survey does not publish maps showing the new parliamentary boundaries; and if he will make a statement. [34089]

Sir Paul Beresford: Ordnance Survey plans to publish two maps covering the whole of Great Britain and showing the proposed new parliamentary boundaries together with the European parliamentary constituency boundaries. Publication is expected in September.

Government Regional Policy

Mr. Vaz: To ask the Secretary of State for the Environment what plans he has to appoint further Ministers to act as central co-ordinators of Government policy towards regions. [34360]

Sir Paul Beresford: None.

Housing Starts

Mr. Tipping: To ask the Secretary of State for the Environment if he will set out a regional breakdown of housing starts in *(a)* the first quarter of 1995 and *(b)* the first quarter of 1996. [34440]

Mr. Curry: The table shows the Department's estimates for total housebuilding starts by Government office regions within England:

	New dwellings started	
	1995	*1996*
Government office regions	*March quarter*	*March quarter*
North East	1,605	1,727
North West and Merseyside	5,739	4,331
Yorkshire and Humberside	3,592	3,374
East Midlands	3,326	3,413
West Midlands	3,748	3,186
Eastern	5,095	4,393
London	3,113	2,403
South East	5,774	5,458
South West	4,148	3,544
England	36,140	31,829

Contaminated Land

Mrs. Ewing: To ask the Secretary of State for the Environment what steps have been taken since 1966 to monitor *(a)* the land in Smarden, Kent, contaminated by the chemical fluoroacetamide in 1963 and *(b)* the Atlantic waters where topsoil from the contaminated land was deposited. [33544]

Mr. Clappison *[holding answer 18 June 1996]:* The central veterinary laboratory at Weybridge, now part of the Veterinary Laboratories Agency, assisted with the investigation into the Smarden poisoning incident. The outcome of the investigation was published in the veterinary record on 19 April, 1969, copies of which will be placed in the Library of the House. Given the amount of time that has elapsed, the files on the incident no longer exist. The only other work of which the CVL is aware was carried out on soil samples to decide when the land could be returned to normal agricultural use. It should be noted that fluoroacetamide biodegrades within a few months when in contact with soil.

The Atlantic waters where the contaminated topsoil was deposited have not been monitored in relation to this action. The deep-water disposal of the contaminated soil, set in concrete and sealed in steel drums, posed no threat to fish or their food safety. Fluoroacetamide is not toxic to fish and it will not bioaccumulate in them. The chemical is highly soluble in water, so any leakage from the drums would be rapidly diluted and dispersed by the currents. It is therefore probable that the chemical would have degraded soon after being dumped at sea.

Overhead Power Lines

Mr. Marlow: To ask the Secretary of State for the Environment what assessment he has made of the Swedish policy of not building houses close to overhead power lines. [34052]

Sir Paul Beresford *[holding answer 21 June 1996]:* I understand that the National Board for Industrial and Technical Development in Sweden has advocated a moratorium on erecting power lines near housing, pending the production of further technical guidance. In the UK, the National Radiological Protection Board has already issued guidance on the known health effects of electromagnetic fields and has recommended criteria with which the electricity industry complies.

TRANSPORT

Aircraft Leasing

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) pursuant to his answer of 29 April, *Official Report,* columns *355–56,* if he will list the companies involved in each of the wet and dry lease applications in 1995, indicating the name of company from which the aircraft was leased, its country of registration and the date and route on which it was used; [33289]

(2) if he will list by company the number of *(a)* wet lease and *(b)* dry lease applications made in each of the last two years. [33535]

Mr. Norris: The information can be provided only at disproportionate cost.

Honduran-registered Aircraft

Mr. Allen: To ask the Secretary of State for Transport how many times Honduran-registered aircraft have flown into the United Kingdom in each of the last five years; and if he will make a statement. [33607]

Mr. Norris: The Department does not keep records of every flight into the UK. Not all categories of flight require Government permission, and flights may sometimes occur without authority. However, no scheduled services are operated by Honduran carriers to the UK.

Between 1 November 1993 and 15 January 1994, permission was granted to the Honduran airline, Omega Air, to operate one round-trip a week between Banjul and London, on behalf of Air Gambia. From 16 January to 25 March, this permission was extended to twice a week. No airline currently has permission to operate Honduran-registered aircraft into the UK.

Illegal Licence Plates

Mr. Atkins: To ask the Secretary of State for Transport (1) what steps he has taken to review the implications for *(a)* accident reporting, *(b)* speed camera recognitions and *(c)* other similar matters of the use of illegal vehicle registration plates; [33841]

(2) what steps he is taking to curb the abuse of illegal vehicle registration plates. [33840]

Mr. Norris: We are planning later this year to bring forward legislation to strengthen the requirements governing the dimensions, spacing and character style of registration numbers to improve legibility and to reduce the scope for misrepresentation. This should facilitate accident reporting and improve the effectiveness of speed cameras.

Mr. Atkins: To ask the Secretary of State for Transport what estimate he has made of the number of illegal vehicle registration plates. [33858]

Mr. Norris: None.

Mr. Atkins: To ask the Secretary of State for Transport what powers are available to Ministry inspectors and police officers to prevent the use of illegal vehicle registration plates. [33839]

Mr. Norris: Sections 42, 43 and 44 of the Vehicle Excise and Registration Act 1994 make it an offence to use registration plates other than in accordance with statutory requirements. Such offences are prosecuted by the police.

Motor Caravans

Mr. Robert Ainsworth: To ask the Secretary of State for Transport (1) how the fixtures and fittings in a motor caravan are categorised for road fund licence purposes; [33909]

(2) under what statutory authority vehicles weighing more than 3.5 tonnes gross vehicle weight and registered as motor caravans are categorised by the Driver and Vehicle Licensing Authority as private heavy goods vehicles for the purposes of charging road fund licence fees. [33910]

Mr. Norris: Fixtures and fittings in a motor caravan are treated as goods or burden for vehicle excise duty classification purposes. Privately used motor caravans are classed as private and light goods if weighing up to 3.5 tonnes and those weighing over 3.5 tonnes fall within the special vehicles class, as heavy goods vehicles used privately. VED of £140 and £150 respectively is payable. Those weighing over 3.5 tonnes and used commercially are subject to HGV rates of duty. Schedule 1 to the Vehicle Excise and Registration Act 1994 as amended by the Finance Act 1996 is the main relevant provision under which VED for motor caravans weighing over 3.5 tonnes and used privately is prescribed.

Excalibur Airlines

Mrs. Dunwoody: To ask the Secretary of State for Transport in which country the Excalibur Airlines aircraft on which passengers recently refused to travel from Orlando is registered. [33851]

Mr. Norris: Antigua

Car Insurance

Mr. David Young: To ask the Secretary of State for Transport if he will take measures to have proof of insurance displayed on the windscreens of cars; and if he will make a statement. [34264]

Mr. Norris: A number of possible measures to reduce evasion of the compulsory motor insurance requirements are being considered, including the introduction of a requirement to display proof of insurance on vehicles.

Search and Rescue Helicopters

Mr. Ainger: To ask the Secretary of State for Transport when he intends to publish his review on the provision of search and rescue helicopters around the United Kingdom coastline. [34439]

Mr. Norris: The report of the search and rescue helicopter review group was published on Monday 20 May, copies of which were placed in the Library.

Tamar Crossing

Mr. Jamieson: To ask the Secretary of State for Transport what plans his Department has to provide financial assistance towards the costs of strengthening the Tamar bridge. [34379]

Mr. Norris: Officials from the Government office for the south-west have discussed funding for strengthening the Tamar bridge with officers from the county council. The county council has been advised that if it thinks that it has an exceptional case for Government funding, it should submit a bid, which will be considered.

Mr. Jamieson: To ask the Secretary of State for Transport what assessment he has made of the viability of the scheme proposed by Plymouth city council and Cornwall county council for a second Tamar crossing on the A38. [34378]

Mr. Watts: These authorities have not made such a proposal. However, the Secretary of State's proposal for a second Tamar crossing, and Plymouth city council and

Cornwall county council's proposal for strengthening the existing bridge, are being assessed at present and I hope to make an announcement in due course.

DUCHY OF LANCASTER

Custody Service

Mr. Clifton-Brown: To ask the Chancellor of the Duchy of Lancaster what plans the Government have for the future of the custody service. [34726]

Mr. Freeman: The custody service is part of the Security Facilities Executive. I have been considering its future in the light of a report from consultants, and the views of customers, and have concluded that the custody service should be privatised. I believe that privatisation will secure the long-term interests of the taxpayer, as well as the staff and customers of the business.

The custody service is primarily involved in the provision of manned guarding services to Whitehall Departments. The majority of its customers have said that they would be content for the private sector to provide these services. Once the business has been sold, it will be free from Government operating constraints and will be able to offer services to new customers in wider markets.

Competitiveness

Mrs. Roche: To ask the Deputy Prime Minister if he will publish the gold plating checklist referred to in this year's competitiveness White Paper. [34063]

The Deputy Prime Minister: The "Implementing European Law Checklist" was published by my right hon. Friend the Chancellor of the Duchy of Lancaster on 16 May. Copies have been placed in the Library.

HEALTH

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the differences in the estimates of venous thromboembolism risk associated with gestodene and desogestrel made by the Medicines Control Agency *(a)* prior to June 1995 and *(b)* in November 1995. [31896]

Mr. Malone: Information providing estimates of the risk of venous thromboembolism with oral contraceptives containing desogestrel and gestodene was not available to the Medicines Control Agency before June 1995. By November 1995, the results of three epidemiological studies were available which indicated that oral contraceptives containing desogestrel or gestodene were associated with about a twofold increase in the risk of venous thromboembolism compared with those containing levonorgestrel.

Mr. Hughes: To ask the Secretary of State for Health what written procedures the post-licensing business of the Medicines Control Agency have in place to ensure reliable decisions in respect of situations where several risks and benefits have to be balanced. [31865]

Mr. Malone: The post-licensing division of the Medicines Control Agency employs staff with extensive expertise in risk-benefit evaluation, who undergo regular training to maintain and supplement their expertise. A variety of written procedures relating to the handling and evaluation of information provides guidance to staff. For drug safety issues with important public health implications, it is normal practice for the MCA to seek independent expert advice on the issue, from the Committee on Safety of Medicines and/or its sub-committee on pharmacovigilance. Working parties with supplementary specialist expertise are also set up to evaluate certain issues.

Unique Patient Numbers

Mr. Gapes: To ask the Secretary of State for Health what estimate he has made of the number of duplicate numbers which have been issued since the launch of the NHS unique patient number project; how many were issued in the last six months; what assessment he has made of the rate of issue of duplicate numbers; and if he will make a statement. [33986]

Mr. Horam: Non-unique numbers have been issued to some 7,500 newly registered babies in the six months since the launch of the new national health service number on 4 December 1995. This represents 1 to 2 per cent. of birth registrations.

The rate of issue of non-unique numbers peaked at 500 in one week, but has now reduced to around 50 per week.

Non-unique numbers are being identified by existing monitoring procedures, and all of the babies concerned have been given new NHS numbers to replace the non-unique numbers.

Mr. Gapes: To ask the Secretary of State for Health what estimate he has made of the cost of rectifying the deficiencies in the NHS unique patient number project which lead to the production of duplicate numbers. [33987]

Mr. Horam: The costs to the national health service executive of correcting the processes which led to the issue of non-unique numbers to some new babies, and then amending their entry in NHS systems, are estimated to be £130,000.

Asthma

Mr. Simon Hughes: To ask the Secretary of State for Health (1) what was the net ingredient cost for preparations used in the treatment of asthma, in total and per family health services authority, for each of the last four years; and if he will make a statement; [33983]

(2) what was the total number of prescriptions for the treatment of asthma, in total and per family health services authority, for the last four years. [33984]

Mr. Malone: Information on the number of prescriptions and net ingredient cost in England for preparations in British national formulary sections 3.1 (bronchodilators), 3.2 (corticosteroids) and 3.3 (cromoglycate and related therapy) for the years 1992 to 1995 is shown in the table. The corresponding information for individual family health services

authorities for the years 1994 and 1995 will be placed in the Library. Information for earlier years is not available centrally.

Prescription items and net ingredient cost for preparations used in the treatment of asthma, England 1992–1995

	Prescription items (thousands)	*Net ingredient cost (£ million)*
1992	29,264	303.3
1993	31,247	346.5
1994	32,667	378.9
1995	33,936	410.9

1. The data cover all national health service prescriptions dispensed in England by community pharmacists, appliance contractors and dispensing doctors, and prescriptions submitted by prescribing doctors in England for items personally administered, in the BNF sections 3.1 (bronchodilators), 3.2 (corticosteroids), and BNF 3.3 (cromoglycate and relate therapy). Some of the drugs can be used for other conditions.
2. Excludes peak flow meters.
3. The net ingredient cost refers to the cost of the drug before discounts and does not include any dispensing costs or fees.

NHS Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health how many towns of 10,000 population and over do not have an NHS dental practice. [33991]

Mr. Malone: The information requested is not available centrally.

NHS Trusts (Wakefield)

Mr. Trickett: To ask the Secretary of State for Health what estimate he has made of the savings which each of the Wakefield district NHS trusts will need to realise in the current financial year, relative to the previous financial year, in order to deliver the same level of service. [33856]

Mr. Horam: National health service trusts in the Wakefield locality have prepared plans for 1996–97 which result from negotiations for contracts with their purchasers. These negotiations, including details of service provision, are a local matter.

Consultants

Mr. Simon Hughes: To ask the Secretary of State for Health how much his Department spent on contracts with outside consultants in 1995–96. [33982]

Mr. Horam: The Department of Health spent £18,373,129 from running cost expenditure on external consultants in the financial year 1995–96.

Mr. Hughes: To ask the Secretary of State for Health what estimate he has made of the financial benefit achieved by the use of external consultants with which his Department has had contracts in the last three years. [34332]

Mr. Horam: I refer the hon. Member to the reply that my hon. Friend the then Under-Secretary gave to the hon. Member for Darlington (Mr. Milburn) on 28 November at column *613*.

Frozen Embryos

Mr. Alton: To ask the Secretary of State for Health how many frozen human embryos will be destroyed on 31 July. [33978]

Mr. Horam: The Human Fertilisation and Embryology Act 1990 requires that embryos created on or before 31 July 1991 should be allowed to perish unless, by virtue of regulations which came into force on 1 May 1996, consent has been given by the couple concerned to extend storage. Licensed clinics are taking active steps to contact couples. The number of embryos that will be allowed to perish is not known at present.

I am placing in the Library of the House a copy of a letter about these matters that I sent to my hon. Friend the Member for Congleton (Mrs. Winterton) on 14 May.

Consultant Anaesthetists

Mr. Gordon Prentice: To ask the Secretary of State for Health what assessment he has made of the number of NHS trusts which are currently advertising or are planning to advertise outside the United Kingdom to recruit consultant anaesthetists. [34414]

Mr. Malone: No such assessment has been made.

Residential Care

Mr. Steen: To ask the Secretary of State for Health if he will introduce measures to penalise those county authorities who do not achieve maximum value for money with regard to residential care for the elderly. [32989]

Mr. Bowis: Electors have the right to examine the accounts of local authorities, and district auditors have responsibilities to ensure that local authorities are achieving value for money.

Creutzfeldt-Jakob Disease

Mr. Hinchliffe: To ask the Secretary of State for Health what is the range of ages of the current 20 cases of the new strain of Creutzfeldt-Jakob disease referred to by Dr. James Ironside of the Creutzfeldt-Jakob disease surveillance unit, Edinburgh, on 14 June. [33835]

Mr. Horam: Eleven cases of the new variant of Creutzfeldt-Jakob disease have been confirmed by the CJD surveillance unit. The ages at death—current age in the case of the patient who is still alive—of these patients ranged between 18 and 42 years.

Smoking

Sir Peter Emery: To ask the Secretary of State for Health what further action he will take to request the tobacco industry, in its voluntary code of practice, to discourage young people from taking up smoking. [34116]

Mr. Horam: The voluntary agreements on tobacco advertising, promotion and sponsorship were comprehensively renegotiated at the end of 1994 and strengthened substantially in a number of areas, particularly in relation to the protection of vulnerable groups such as children. The voluntary agreements are due to be reviewed again in 1999.

Abortion

Mrs. Ann Winterton: To ask the Secretary of State for Health (1) if he will make a statement on the procedures involved in performing a partial birth abortion; [34255]

(2) what information he has concerning the number of partial birth abortions performed in each region in the last year for which figures are available, the gestation of the pregnancy in each of those cases and the reason for the abortion. [34256]

Mr. Horam: We are not aware of this procedure being used in the United Kingdom. Methods of abortion are a matter of clinical judgment.

Mrs. Winterton: To ask the Secretary of State for Health what plans he has to bring forward *(a)* legislation or *(b)* guidelines to prohibit the use of the technique of partial birth abortion. [34257]

Mr. Horam: None.

Mrs. Winterton: To ask the Secretary of State for Health what assessment he has recently made and what guidance he has recently given of the steps which should be taken by medical practitioners to reduce the likelihood of a foetus feeling pain during the course of an abortion performed *(a)* as a partial birth abortion and *(b)* by other techniques. [34258]

Mr. Horam: These are matters for the medical profession. The Royal College of Obstetricians and Gynaecologists has issued recent guidance which addresses the issue, "Termination of pregnancy for fetal abnormality in England, Wales and Scotland", copies of which will be placed in the Library shortly.

Mrs. Winterton: To ask the Secretary of State for Health if he will make a statement on the statistically most likely candidate for an abortion in the latest year for which figures are available in terms of *(a)* the marital status of the woman, *(b)* the age of the woman, *(c)* the gestation of the pregnancy, *(d)* the number of previous abortions undergone by the woman and *(f)* the legal grounds under which the abortion was performed. [34260]

Mr. Horam: The statistically most likely candidate for an abortion for each of the variables listed is defined as the category with the highest recorded frequency of legal terminations. The percentages are based on all legal terminations performed in 1993, in England and Wales, on residents and non-residents.

The categories with the highest frequencies found in each of the variables are as follows:

marital status: single women comprised 66 per cent. (112,036) of all terminations;

age of the woman: 20–24 age group comprised 30 per cent. (50,591) of all terminations;

gestation: nine to 12 weeks of gestation comprised 49 per cent. (81,949) of all terminations;

number of previous children borne by the woman: woman with no previous (live and still born) children born to them, comprised 54 per cent. (90,891) of all terminations;

Number of previous abortions undergone by the woman: women who have had no previous legal terminations comprised 75 per cent. (126,006) of all terminations;

legal ground under which the abortion was performed: statutory ground C alone comprised 87 per cent. (147,058) of all terminations. The definition of ground C is "that the pregnancy has not exceeded its 24th week and that the continuance of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the woman".

Ref: 1993 ARV abortion statistics.

Consultancy Index

Mr. Milburn: To ask the Secretary of State for Health when his Department's review of the role, function, operation and management of the Department of Health's consultancy index will report. [34372]

Mr. Bowis: Officials carrying out the review will report to me shortly.

Mr. Milburn: To ask the Secretary of State for Health if each individual who appears on the Department for Education and Employment's list 99 is included on his Department's consultancy index. [34373]

Mr. Bowis: Yes.

Mr. Milburn: To ask the Secretary of State for Health what are the arrangements for the information held on the Department's consultancy index to be passed to the Department for Education and Employment. [34374]

Mr. Bowis: The Department for Education and Employment has access to each of the three elements of the index—list 99, notifications from the police about convictions, and adverse reports from employers.

Private Nursing Homes

Mr. Milburn: To ask the Secretary of State for Health what assessment he has made of the implications of the health ombudsman's ruling on the openness of health authority inspection reports into private nursing homes; and if he will make a statement. [34375]

Mr. Bowis: We are considering the question of open reporting on independent nursing homes in the light of the consultation exercise completed last year and against the background of the current review of regulation and inspection in the social services.

Child Welfare

Mr. Milburn: To ask the Secretary of State for Health (1) when he expects Sir William Utting to report on his review of existing safeguards for children living away from home; [34376]

(2) how many members of staff he has assigned to assist Sir William Utting's review of existing safeguards for children living away from home. [34377]

Mr. Bowis: This will be a thorough review within the terms of reference, and recommendations will be made to my right hon. Friends the Secretaries of State for Health and for Wales as speedily as possible. Sir William will be provided with a secretariat and will have access to whatever other departmental facilities he requires.

Private Finance Initiative

Mr. Timms: To ask the Secretary of State for Health how much capital spending has so far been committed in his Department for the current financial year under the private finance initiative. [34484]

Mr. Horam: The private finance initiative gives the national health service access to private capital in cases where it offers better value for money to the taxpayer than public funding. Therefore, under the PFI, capital is

committed by the private sector, not by the NHS. The NHS is committed to the revenue payments for the service provided by the private sector.

Special Transitional Grant

Mr. Milburn: To ask the Secretary of State for Health if he will list those local authorities that failed to spend 85 per cent. of the special transitional grant for 1994 to 1995 in the independent sector. [34396]

Mr. Bowis: The audited returns have not yet been received from all local authorities.

CHURCH COMMISSIONERS

Golders Green Road Properties

Mr. John Marshall: To ask the right hon. Member for Selby, representing the Church Commissioners, how many properties the Church Commissioners own in Golders Green road; how many are let; and what is the rent roll. [33736]

Mr. Alison: The Church Commissioners own two commercial properties in Golders Green road. Both properties are let on long leases at ground rents. It is not the Commissioners' policy to disclose details of the rents paid by tenants.

NATIONAL HERITAGE

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for National Heritage on how many occasions in each of the past five years health and safety problems in her Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33464]

Mr. Sproat: The Health and Safety Commission has not become involved in any incident relating to my Department but has visited the Historic Royal Palaces agency six times since 1993 in connection with injuries or investigation of work-related ill health incidents.

The HSE was also called in on one occasion to the Royal Parks agency to investigate the death of a cyclist in Hyde Park in 1995. Liability for this incident fell on others and not the Royal Parks Agency.

My Department and its agencies have structures for identifying and reporting potential health and safety problems as part of more general building and maintenance monitoring. It is not possible to identify separately which maintained requirements were health and safety related.

Mr. McCartney: To ask the Secretary of State for National Heritage what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of her Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33466]

Mr. Sproat: Although my Department has paid no amounts of sick pay or compensation to employees, their families, or members of the public as a result of injuries, my two agencies have made the following payments:

Those involving expenditure of over £5,000:

Historic Royal Palaces agency

1. An employee slipped and suffered minor back injury leading to a pain disorder syndrome. Costs from 1992 to 1996 were

£18,000 sick pay

£23,633 compensation to DSS for benefits paid

£12,500 out of court settlement

2. An employee suffered from repetitive strain injury allegedly related to typing duties. Sick pay costs were:

£7,434 (1992)

£14,288 (1993)

£11,713 (1994)

3. A member of the public broke a leg on stairs in 1994. Costs were:

£4,000 compensation

£6,609 costs

The Royal Parks agency;

1. In 1993–94 £12,500 was paid to a gardener in respect of head injuries suffered in 1991 when the gardener was employed by the Department of the Environment. The injuries were caused by a mechanical drill.

2. In 1996–97 £51,492 was paid in respect of a back injury suffered by a police constable while on duty in St. James's Park police station in November 1992.

Costs relating to other major incidents each costing less than £5,000 were:

Historic Royal Palaces agency;

Sick pay

£3,389 (1993)

£812 (1994)

£3,412 (1995)

£550 (1996 to date)

Compensation payments

£2,000 (1992)

£27 (1993)

£3,067 (1994)

£3,744 (1995)

Royal Parks agency;

The amounts of compensation paid since 1993 are:

£18,989 (1993–94)

£3,900 (1994–95)

£5,161 (1995–96)

£51,492 (1996–97 to 31 May)

The Royal Parks agency cannot identify the amounts of sick pay which result from work-related injuries and it has not been feasible for the Historic Royal Palaces agency to determine the costs of all sick pay incurred for minor injuries.

Mr. McCartney: To ask the Secretary of State for National Heritage what was the cost in each of the past five years of rectifying working conditions that were the responsibility of her Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33467]

Mr. Sproat: Neither my Department nor the Historic Royal Palaces agency can identify such costs. In the majority of cases the works are carried out under other maintenance, project or refurbishment works and are not costed separately.

The Royal Parks agency has expended the following amounts on health and safety related works. These figures relate to both the agency's working premises and the public areas and cannot be separated further:

£95,051 (1993–94)

£311,113 (1994–95)

£381,915 (1995–96)

£64,108 (1996–97 to 31 May)

The Royal Parks agency has spent £200 per annum on information technology related works.

Mr. McCartney: To ask the Secretary of State for National Heritage how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in her Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33465]

Mr. Sproat: The statistics for my Department and its two agencies are as follows:

Category	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Minor	117	187	122	15
Major	5	5	3	0
Fatality	0	0	0	0

One of the above minor injuries relates to information technology and was the temporary recurrence of a previous repetitive strain injury.

There are no reliable records prior to 1993 but one injury relating to information technology within the Historic Royal Palaces agency is known to have occurred in 1992 resulting in the loss of 815 days' work.

National Lottery Funding (Sandwell)

Mr. Spellar: To ask the Secretary of State for National Heritage if she will list the projects within the Metropolitan borough of Sandwell that have received funding from each of the national lottery funds. [33645]

Mr. Sproat: There have been seven awards to date, totalling £4.6 million, made to projects in Sandwell. The information is as follows:

Body	*Announced*	*Recipient*	*Location*	*Amount*
NLCB	11 June 1996	Sandwell Muslims Organisation	Sandwell	103,122.00
NLCB	20 November 1995	Carers Advice and Resource Establishment, Sandwell	Sandwell	96,200.00
NLCB	11 June 1996	Sandwell Rape Crisis Centre	Sandwell	75,406.14
NLCB	11 June 1996	Sandwell Asian Family Support Service	Sandwell	65,063.00
NLCB	11 June 1996	Great Bridge parents support network	Sandwell	15,000.00
NLCB	19 December 1995	Sandwell voluntary organisations	Sandwell	1,850.00
MC	30 October 1995	Black Country urban forest	Sandwell, Walsall, Dudley and Wolverhampton	4,247,540.00
Total				4,604,181.14

Royal Parks Constabulary

Mr. Mackinlay: To ask the Secretary of State for National Heritage how many officers of the royal parks constabulary were deployed in Trafalgar square during the weekend 15 and 16 June; and what factors underlay their deployment. [33924]

Mr. Sproat *[holding answer 21 June 1996]:* In all, nine officers on foot and three mounted officers of the royal parks constabulary were deployed on 15 June to assist the Metropolitan police keep order between rival groups of football fans in Trafalgar square. No royal parks constabulary officers were deployed in Trafalagar square on Sunday 16 June.

PRIME MINISTER

Ministerial Visits

Mr. Harvey: To ask the Prime Minister if he will list those parliamentary constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [33861]

The Prime Minister: During the last three months I have made official visits to the following constituencies:

Glasgow, Kelvin,
Stirling
Edinburgh Central,
Gordon
Aberdeen North
North Warwickshire
Nuneaton
Rugby and Kenilworth
Warwick and Leamington
Stratford on Avon
Derbyshire South
Cardiff South and Penarth

Details of future visits are not given for security reasons.

Prime Minister's Question Time

Mr. Gordon Prentice: To ask the Prime Minister how much time he devotes to preparing for Prime Minister's questions. [34416]

The Prime Minister: As much as is necessary.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 25 June. [31444]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 25 June. [33145]

The Prime Minister: This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Animal Feedstuffs

Mr. Hinchliffe: To ask the Prime Minister if he will place in the Library copies of correspondence and minutes of meetings between Mr. John Whitfield, the hon. Member for Dewsbury (Mrs. Taylor) from 1983 to 1987, Prosper De Mulder Ltd. and Government Departments relating to the use of meat and bone products in animal feeds; and if he will make a statement. [34028]

The Prime Minister *[holding answer 21 June 1996]:* No. It is not normal policy to publish such correspondence. The Government's response to bovine spongiform encephalopathy has from the outset been informed by, and based on, our scientific knowledge of the disease. The Government encourage the publication of research relating to BSE, in particular where it has been funded and commissioned by MAFF. The BSE eradication plan, published by the Government on 31 May and available in the Library of the House, lists all the MAFF commissioned research on BSE to date. I also refer the hon. Member to my statement in the House on 24 June, *Official Report*, columns 21-24.

EDUCATION AND EMPLOYMENT

GCSE Results

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list for each local education authority with more than 10 per cent. of secondary pupils in grant-maintained schools the percentage of 15-year-old pupils achieving five or more general certificate of secondary education passes at grades A to C in *(a)* grant-maintained comprehensive and *(b)* local education authority comprehensives banded by the proportion of pupils entitled to free school meals being (i) less than 5 per cent., (ii) 5 to 9 per cent., (iii) 10 to 19 per cent., (iv) 20 to 29 per cent., (v) 30 to 39 per cent. and (vi) more than 40 per cent., stating in each case how many schools contribute to the figure given. [33742]

Mr. Robin Squire: A national breakdown of GCSE performance by grant-maintained and LEA schools analysed by free school meal bands was given in my right hon. Friend's answer of 21 February to the hon. Member for Norwich, North (Mr. Thompson), *Official Report*, column *217*. When the data requested are disaggregated to individual LEA level, many of the resulting figures are very small. This means that they do not provide a reliable basis for drawing comparisons, and in a number of cases individual schools' levels of free school meals could be identified, contrary to established practice on the release of information.

Grant-maintained Schools

Mr. Blunkett: To ask the Secretary of State for Education and Employment which grant-maintained schools have been identified in Office for Standards in Education inspection reports as *(a)* having serious weaknesses and *(b)* being in need of special measures; and in each case what action has been taken. [33746]

Mr. Robin Squire: The following nine grant-maintained schools in England have been identified by Her Majesty's chief inspector as being in need of special measures:

Ashton St. Peter's school, Bedfordshire

Kelsey Park school, Bromley

Our Lady of Fatima high school, Liverpool

St. Ann's Roman Catholic primary school, Sheffield

St. Hugh's school, Lincolnshire

St. Margaret's special school, Bedfordshire

Southfields school, Kent

Stratford school, Newham

Upbury Manor school, Kent

All of these schools have submitted satisfactory action plans to address the weaknesses identified by HMCI, except St. Margaret's, whose plan is not due to be submitted to the Secretary of State until July. All GM schools are now offered help from the Funding Agency for Schools school improvement unit.

In addition, the Secretary of State has appointed an additional governor at Kelsey Park school and one at St. Hugh's school, and at Stratford school she restructured the governing body by the appointment of five governors.

Stratford school was declared by HMCI in December 1995 to be no longer in need of special measures. Four of the other GM schools have now also received a visit from Ofsted to monitor their progress, and all of these have shown signs of improvement.

Schools having serious weaknesses are not specifically identified as such by registered inspectors.

School Budgets

Ms Estelle Morris: To ask the Secretary of State for Education and Employment if she will list for each local education authority in England the cash amount and percentage of the schools' budget spent on administration in 1995–96 and estimated to be so spent in 1996–97. [33976]

Mr. Robin Squire: The information set out in the following table is derived, for both years, from the local management of schools budget statements produced by LEAs. Outturn figures for 1995–96 are not yet available. The cash figures relate to the budget head "management and administration" and have been expressed as percentages of the potential schools budget.

	1996–97		1995–96	
	Management and administration (£,000)	*Percentage of PSB*	*Management and administration (£,000)*	*Percentage of PSB*
Avon	'—	'—	8,510	3.00
Barking/Dagenham	1,237	2.02	1,969	3.35
Barnet	1,487	1.96	1,568	2.21
Barnsley	591	0.96	491	0.83
Bath and North East Somerset	1,539	3.17	'—	'—
Bedfordshire	2,913	1.91	3,026	2.03
Berkshire	3,627	1.85	3,655	1.95
Bexley	1,852	3.07	1,719	2.98
Birmingham	5,741	1.66	7,999	2.39
Bolton	1,252	1.55	1,158	1.47
Bradford	2,636	1.75	2,672	1.77
Brent	1,361	2.84	1,719	3.74
Bristol	3,445	3.08	'—	'—
Bromley	1,822	4.14	1,547	3.18
Buckinghamshire	6,488	3.73	6,900	4.07
Bury	1,173	2.16	1,281	2.46
Calderdale	981	2.29	1,010	2.28
Cambridgeshire	2,713	1.70	2,844	1.82
Camden	1,541	2.70	2,223	4.12
Cheshire	4,763	1.58	4,514	1.57
City of London	56	7.36	77	10.38
Cleveland	'—	'—	5,320	2.83
Cornwall	2,043	1.49	2,036	1.56
Coventry	2,045	1.93	1,952	1.89
Croydon	724	0.95	1,228	1.66
Cumbria	1,495	1.32	1,591	1.46
Derbyshire	2,663	1.20	3,113	1.42
Devon	3,473	1.28	4,563	1.78
Doncaster	2,188	2.13	2,174	2.19
Dorset	3,650	2.52	3,842	2.77
Dudley	775	0.99	1,064	1.43
Durham	3,583	1.98	3,647	2.09
Ealing	2,166	3.03	2,049	2.98
East Riding	3,496	3.63	'—	'—
East Sussex	2,198	1.16	2,326	1.26
Enfield	2,084	2.57	2,122	2.77
Essex	5,105	1.85	5,677	2.10
Gateshead	1,368	2.16	1,414	2.29
Gloucestershire	1,776	1.92	2,482	2.83
Greenwich	3,422	3.81	3,306	3.74
Hackney	2,119	3.20	2,187	3.40
Hammersmith/Fulham	705	1.79	744	1.94
Hampshire	8,769	2.07	9,703	2.37
Haringey	1,497	1.94	1,492	2.05
Harrow	1,374	2.13	1,773	2.87
Hartlepool	919	3.00	'—	'—
Havering	1,144	1.75	1,200	1.89
Hereford/Worcester	3,057	1.68	2,828	1.63
Hertfordshire	1,660	0.61	2,215	0.85
Hillingdon	1,874	4.30	1,908	4.59
Hounslow	1,545	2.07	1,530	2.15
Humberside	'—	'—	8,058	2.88
Hull	1,793	2.18	'—	'—
Isle of Wight	601	1.62	590	1.67
Isles of Scilly	13	1.44	26	2.66
Islington	2,518	4.24	1,873	3.11
Kensington/Chelsea	1,052	3.92	1,138	4.31
Kent	14,763	4.28	14,437	4.23
Kingston	762	2.31	929	2.95
Kirklees	2,308	1.98	2,806	2.42
Knowsley	1,066	1,88	644	1.19
Lambeth	1,803	3.38	3,241	5.56
Lancashire	5,182	1.25	7,350	1.87
Leeds	2,966	1.34	3,095	1.46
Leicestershire	3,179	1.13	5,925	2.21
Lewisham	1,983	2.41	2,142	2.69
Lincolnshire	2,693	2.05	2,538	1.99
Liverpool	4,602	3.03	4,045	2.67
Manchester	3,944	2.76	3,521	2.50
Merton	735	1.52	922	1.97

	1996–97 Management and administration (£,000)	1996–97 Percentage of PSB	1995–96 Management and administration (£,000)	1995–96 Percentage of PSB
Middlesbrough	1,842	3.66	[1]—	[1]—
North East Lincolnshire	1,672	2.98	[1]—	[1]—
Newcastle	2,259	2.70	2,358	2.89
Newham	2,383	2.60	2,082	2.40
Norfolk	2,288	1.22	1,672	0.94
North Lincolnshire	1,684	3.29	[1]—	[1]—
North Somerset	1,684	3.00	[1]—	[1]—
North Tyneside	1,000	1.70	1,095	1.92
North Yorkshire	2,958	1.75	3,942	1.90
Northamptonshire	2,472	1.51	2,333	1.49
Northumberland	2,149	2.25	2,065	2.21
Nottinghamshire	4,498	1.52	7,132	2.40
Oldham	2,007	2.39	1,863	2.30
Oxfordshire	2,052	1.33	2,175	1.44
Redbridge	2,210	2.81	2,094	2.82
Redcar and Cleveland	1,438	2.86	[1]—	[1]—
Richmond	735	1.73	618	1.49
Rochdale	1,228	2.13	1,206	2.16
Rotheram	2,925	3.39	2,821	3.39
Salford	2,100	2.94	2,146	3.10
Sandwell	972	0.98	1,825	1.89
Sefton	3,451	3.61	3,456	3.75
Sheffield	2,722	2.03	2,857	2.23
Shropshire	2,112	1.91	2,174	2.04
Solihull	399	0.59	388	0.60
Somerset	735	0.57	1,216	0.98
South Gloucestershire	2,369	3.07	[1]—	[1]—
South Tyneside	918	1.90	883	1.90
Southwark	2,157	3.06	2,312	3.36
St. Helens	1,205	2.03	1,431	2.46
Staffordshire	3,024	1.03	3,257	1.17
Stockport	1,189	1.45	1,306	1.62
Stockton on Tees	1,926	3.05	[1]—	[1]—
Suffolk	2,402	1.24	2,542	1.37
Sunderland	815	0.85	1,985	2.11
Surrey	4,536	2.10	5,293	2.53
Sutton	1,171	3.10	1,313	3.64
Tameside	1,137	1.87	1,129	1.88
Tower Hamlets	1,861	2.18	1,731	2.03
Trafford	1,215	2.26	1,168	2.21
Wakefield	1,986	2.07	1,830	1.93
Walsall	1,646	2.11	1,611	2.17
Waltham Forest	1,705	2.45	1,618	2.44
Wandsworth	1,738	3.23	2,566	2.68
Warwickshire	2,085	1.61	2,924	2.28
West Sussex	4,092	1.99	4,251	2.15
Westminster	2,191	4.74	1,875	4.18
Wigan	1,510	1.48	1,445	1.45
Wiltshire	2,152	1.69	2,107	1.70
Wirral	1,758	1.73	1,539	1.55
Wolverhampton	1,137	1.49	1,210	1.63
York	1,610	3.46	[1]—	[1]—

[1] "—"is shown in columns for the year that the relevant LEA did not exist.

Private Finance Initiative

Mr. Forman: To ask the Secretary of State for Education and Employment what discussions she has had with university vice-chancellors regarding the private finance initiative. [34355]

Mr. Forth: In February my right hon. Friend set up a joint DEE-higher education sector working group to consider the private finance initiative in the higher education sector. The group is due to report in the next few weeks.

Teachers

Mr. Pickthall: To ask the Secretary of State for Education and Employment how many teachers qualified in 1995; and how many entrants into teaching in summer 1995 were categorised as *(a)* undergraduate primary, higher education institute based, *(b)* undergraduate secondary, HEI based, *(c)* licensed teacher, primary non-graduate, *(d)* licensed teacher, secondary non-graduate, *(e)* licensed teacher, primary already graduate, *(f)* licensed teacher, secondary already graduate, *(g)* articled teacher, primary, *(h)* articled teacher,

secondary, (i) post-graduate certificate of education, HEI based, *(j)* PGCE secondary, HEI based, *(k)* Open university, PGCE primary, *(l)* Open university, PGCE secondary, *(m)* school centred initial teacher training, primary and *(n)* SCITT, secondary. [34262]

Mr. Robin Squire: The latest information available for new entrants to teaching with qualified teacher status in England and Wales is for the year April 1993 to March 1994. The data have been obtained from the database of teacher records. There were no entrants qualified through the Open university or school centred initial teacher training in 1993. Comparable figures are quoted for newly qualified teachers.

Teachers gaining qualified teacher status

Calendar year	*Number*
1993	24,200
1994	26,300

New entrants with qualified teacher status, 1993, by age range of training

	Primary	*Secondary*	*Not known*
Postgraduate	4,250	7,010	[1]—
Undergraduate	5,180	1,510	[1]—
Articled	110	80	0
Qualified through the licensed teachers scheme			
Graduate	[1]—	10	[1]—
Other	3-	50	[1]—
Other			
Qualified	0	0	610

[1] Numbers less than 5.

Barred Teachers

Mr. Milburn: To ask the Secretary of State for Education and Employment, pursuant to her answer of 13 June, *Official Report*, column *287-88*, if her Department has access to the Department of Health's consultancy index; and in what circumstances it cross-checks its inquiries with the Department of Health's list. [34395]

Mr. Robin Squire: The Department holds a copy of that part of the Department of Health's consultancy index that is compiled on the basis of reports from employers—the adverse reports index. That index, and list 99, is checked when the Department arranges a police check on the criminal background of a prospective employee on behalf of a school that cannot arrange such checks through a local education authority.

AGRICULTURE, FISHERIES AND FOOD

Beef Exports

Sir David Knox: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the non-Commonwealth countries that do not ban British beef exports, indicating the value of beef exports to each of these countries in the last year for which figures are available; [31606]

(2) if he will list the Commonwealth countries that do not ban British beef exports, indicating the value of beef imports to each of these countries in the last year for which figures are available; [31608]

(3) if he will list the Commonwealth countries that ban British beef exports and the value of beef exports to each of those countries in the most recent year for which figures are available; [31822]

(4) if he will list the non-Commonwealth countries that ban British beef exports, indicating the value of beef exports to each of these countries in the last year for which figures are available. [31754]

Mrs. Browning: I will write to the hon. Member with the information requested and place a copy of my letter in the Library of the House.

Sir Wyn Roberts: To ask the Minister of Agriculture, Fisheries and Food what proportion of British beef exports, by tonnage and value, went to European countries from which they are currently banned in the 12 months before the implementation of the ban. [33333]

Mrs. Browning *[holding answer 18 June 1996]:* The Commission ban on the export of beef from the UK was introduced on 27 March 1996. Provisional data on exports of beef from the United Kingdom between March 1995 and February 1996—the latest information available—as recorded in the overseas trade statistics, are shown in the table. Beef exported from, but not originating in, the UK is not separately identifiable.

	Tonnes	*£000s*	*Percentage of total UK exports by weight*	*Percentage of total UK exports by value*
European Community	231,962	554,424	81.2	90.2
Other European countries	5,531	9,616	1.9	1.6
Total Europe	237,293	564,040	83.1	91.8

The figures for beef cover carcass meat of bovine origin and all other bovine products fit for human consumption, including offals and cooked products.

Cattle Carcases (Storage)

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food if he will list the locations his Department is *(a)* using and *(b)* considering using for the storage of the remains of cattle aged 30 months or over following processing of carcases at rendering plants prior to final disposal; what is the estimated (i) maximum and (ii) minimum periods these remains will be at these storage sites; and if he will make a statement. [31559]

Mr. Boswell: The Intervention Board executive agency is currently storing the resultant material from animals rendered under the 30-month scheme at stores in Exeter, Belfast, Liverpool and Gloucestershire. Other locations will be considered in due course as it becomes apparent that more storage facilities are required.

As announced by the Minister on the 16 April, a number of options for the disposal of meat and bone meal produced at plants are under active consideration and in all cases full weight will be given to protecting the

environment. The options include incineration and energy recovery. The period of storage will vary between stores and will depend on the final disposal route chosen.

Meat Hygiene Services

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the present number of staff employed in his Department's meat hygiene services. [32874]

Mrs. Browning: The figures show the number of staff employed in the Ministry's meat hygiene services as at 1 June 1996:

Meat hygiene division: 51

Meat hygiene veterinary section: 21

Meat hygiene service agency: 1,295, including 241 staff employed on a casual basis and used according to demand

Health and Safety

Mr. Ian McCartney: To ask the Minister of Agriculture, Fisheries and Food what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33470]

Mr. Boswell: Information relating to the number of work-related injuries in this Department is given in another reply today, but the cost of those injuries in terms of sick pay and compensation is not readily available and could be provided only at disproportionate cost.

Mr. McCartney: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33468]

Mr. Boswell: Centralised monitoring of records of health and safety problems—injuries and dangerous occurrences—have been maintained only since 1992. It is not possible to obtain data before that date without incurring disproportionate cost.

1992–1993—850, of which 27 were reported, as required by statute, to the Health and Safety Executive which is the enforcement arm of the Health and Safety Commission.

1993–1994—871, of which 37 were reported to the Health and Safety Executive.

1994–95—771, of which 44 were reported to the Health and Safety Executive—a Crown notice was subsequently served by HSE after investigation of one of the Veterinary Laboratories Agency's laboratories.

1995–96 (to date)—654, of which 24 were reported to the Health and Safety Executive.

The 1995–96 figures are not strictly comparable with previous years because of recent changes in statutory reporting procedures and classification of injuries.

Mr. McCartney: To ask the Minister of Agriculture, Fisheries and Food what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33471]

Mr. Boswell: Expenditure is not categorised in a way which distinguishes that spent on health and safety improvements alone and disproportionate cost would be involved in trying to do this. The Ministry and its agencies do, however, take action to anticipate new health and safety legislation and to react to new legislation when it is introduced. In addition, the Ministry's on-going programme of building maintenance is aimed in part at improving working conditions which helps to ensure that health and safety standards are maintained.

Mr. McCartney: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33469]

Mr. Boswell: Centralised monitoring of records of injuries to staff have been maintained only since 1992. It is not possible to obtain data before that date without incurring disproportionate cost.

1992–93: 823 (minor) 27 (major) nil (fatalities) (one related to information technology)

1993–94: 834 (minor) 37 (major) nil (fatalities) (nil related to information technology)

1994–95: 727 (minor) 44 (major) nil (fatalities) (one related to information technology)

1995–96 (to date): 630 (minor 24 (major) nil (fatalities) (10 related to information technology)

The 1995–96 figures are not strictly comparable with previous years because of recent changes in statutory reporting procedures and classification of injuries.

Bovine Tuberculosis

Mr. Temple-Morris: To ask the Minister of Agriculture, Fisheries and Food what steps are being taken in the United Kingdom to research into and eradicate the disease of bovine tuberculosis; and if he will make a statement. [33348]

Mrs. Browning: Our extensive research programme includes work on improved diagnostic testing of cattle, disease transmission studies, development of badger vaccines, computer modelling of the effect of badger control strategies, badger disruption studies, strain typing of mycobacterium bovis and antigen research.

All cattle herds are regularly tested using the tuberculin skin test. Reactors and dangerous contacts are compulsorily slaughtered and compensation paid. Movement restrictions are applied to affected herds and contact animals are traced. Post mortem examination of the carcases and laboratory examination of samples are carried out. The carcases of all cattle slaughtered for human consumption are routinely inspected for lesions of tuberculosis.

In Great Britain, where badgers are considered to be the cause of disease in cattle, a badger removal operation is undertaken by MAFF's wildlife unit unless the owner of the cattle declines.

We have been considering the views of interested parties about the future of our bovine tuberculosis control policy for Great Britain and expect to be able to take a decision shortly.

Mr. Temple-Morris: To ask the Minister of Agriculture, Fisheries and Food what is the current incidence of bovine tuberculosis; and what research is being done into the relationship of the bacterium mycobacterium bovis and its human counterpart. [33374]

Mrs. Browning: In 1995, the number of new confirmed herd breakdowns in Great Britain was 449 and positive reactors were confirmed in 713 herds in Northern Ireland.

The Veterinary Laboratories Agency is developing typing techniques for distinguishing M. bovis and M. tuberculosis strains. It is sharing research with other groups, including the Medical Research Council tuberculosis unit, to look at common components of the two organisms which could be useful as vaccine candidates and diagnostic reagents. The agency is also monitoring the considerable research work worldwide on mycobacteria in general.

Slaughtered Cattle

Mr. Biffen: To ask the Minister of Agriculture, Fisheries and Food what percentage of cattle slaughtered and incinerated in respect of the BSE scheme in the latest available four weeks have been grass-fed. [33601]

Mr. Baldry: Statistics on cattle slaughtered and incinerated under the over 30-month slaughter scheme are not collected on the basis of the rearing method of the animals.

Dietary Supplements

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food when he expects the European Commission to publish the consultation document on dietary supplements; and if he will make a statement on the steps which he has taken to date to promote to other European Governments his policy on access to dietary supplements. [34003]

Mrs. Browning: The timetable for the production of the proposed discussion document on vitamin, mineral and other dietary supplements is in the hands of the European Commission. We do not yet know when it will be issued.

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what response he has made to the Shrimpton report on essential nutrients in supplements; and what plans he has to consult interested consumer and practitioner organisations about using the recommendations of that report as the basis for negotiations within the European Union in connection with the forthcoming consultation document on dietary supplements. [34004]

Mrs. Browning: We have noted this report commissioned by the European Federation of Associations of Health Product Manufacturers and will take its conclusions into account in considering issues relating to the safety of dietary supplements. We have no plans to consult interested parties on the recommendations of the Shrimpton report, which was commissioned by industry and not by Government.

Beef Consignments (Greece)

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food what action his Department has taken with regard to consignments of beef not originating from the United Kingdom, but owned by United Kingdom companies, which have been impounded by the authorities in Greece since March; and if he will make a statement. [33878]

Mrs. Browning: My officials have been in regular contact with the Greek authorities, both directly and through the British embassy in Athens, with the aim of releasing such consignments at the earliest opportunity. The latest contact was on 14 June when we wrote to the Greek Ministry of Agriculture. The exporters concerned have been kept informed of developments.

Central Science Laboratory

Mr. Anthony Coombs: To ask the Minister of Agriculture, Fisheries and Food what targets have been set for the Central Science Laboratory in 1996–97. [34663]

Mr. Douglas Hogg: The Central Science Laboratory is relocating to a new purpose-built laboratory in York during 1996–97 with the subsequent closure of a number of existing sites. This will result in exceptional one-off costs and disruption which I have taken into account in setting the following demanding but realistic strategic targets for 1996–97:

Financial

- 94 per cent. recovery of full costs after allowing for relocation costs;
- to comply with budgetary controls resulting from the public expenditure survey and the supply estimates.

Efficiency

- 1 per cent. improvement in utilisation of productive time;
- to achieve a ratio of 54 per cent. overheads to total costs by 31 March 1997.

Service deliver

- At least 90 per cent. of work completed to time and within budget;
- achieve a mean score of 3 on a scale of 0 to 5 for the assessment of customer satisfaction using the established methodology.

Animal Feedstuffs

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what reports he has received that feed infected with meat and bonemeal has been fed to cattle in England and Wales over the past 30 months. [31382]

Mrs. Browning *[holding answer 10 June 1996]:* Epidemiological investigations carried out following the occurrence of BSE in animals born after the feed ban suggested that exposure was likely to be from a feed-borne source due to accidental cross-contamination of feeding stuffs with meat and bonemeal. No animal currently infected with BSE has been born within the last 30 months and the occurrence of current BSE cases does not therefore provide any evidence to date of exposure of animals to infected feed over this period. Cases arising in older animals could well be due to exposure in earlier periods.

Following recommendations from the Spongiform Encephalopathy Advisory Committee in March of this year, we took steps to reinforce existing legislation so as to prevent cross-contamination of cattle rations with meat and bonemeal, which until then could legitimately be used in pig and poultry feed. From 29 March, the sale of any mammalian meat and bonemeal or any feeding stuff containing meat and bonemeal for feeding to farmed animals was prohibited and from 4 April it has been an offence to use any mammalian meat and bonemeal or feed containing it for feeding to farmed animals.

As announced on 10 June, we now intend also to make it an offence from 1 August for any mammalian meat and bonemeal or feed containing it to be present on farms, at feed mills or at feed merchants.

Next Steps Agencies

Ms Jowell: To ask the Minister of Agriculture, Fisheries and Food what is the total number of people employed by each of the next steps agencies under his Department's control; how many of those employees are women; and at what civil service or equivalent grades they are employed. [32728]

Mr. Boswell *[holding answer 20 June 1996]:* Responsibility for this matter is delegated to agency chief executives, and I have asked them to reply direct to the hon. Member.

Letter from Johnston McNeill to Ms Tessa Jowell, dated 25 June 1996:

As Chief Executive of the Meat Hygiene Service, your question to the Minister of Agriculture, Fisheries and Food concerning staffing levels has been passed to me for reply in respect of this Executive Agency. (32728)

The Meat Hygiene Service (MHS) was established as an Executive Agency of MAFF on 1 April 1995 and took over from local authorities responsibility for enforcing meat hygiene, inspection and animal welfare legislation in licensed fresh meat premises. The majority of MHS staff are meat hygiene inspectors and Official Veterinary Surgeons.

The MHS currently employs 677 meat inspectors (520 red meat; 157 poultry meat) and 5 meat technicians on a full time basis. In addition it utilises 114 inspectors (106 red meat; 8 white) and 47 technicians on fixed term contracts of 100 weeks duration. There is also a pool of 236 inspectors (217 red; 19 white) and 10 technicians used on a casual basis. As you will appreciate, these last two sets of figures in particular fluctuate according to demand. These inspection staff are supervised by Official Veterinary Surgeons (OVSs). The MHS directly employs 37 OVSs and in addition contracts out work to 110 full time equivalent vets to supplement them. 7 vets are also utilised on a casual basis.

In addition the MHS employs 75 managerial and administrative staff on a permanent basis and 21 on fixed term contracts of 100 weeks.

150 of the above staff are women. 109 are employed as either meat technicians, inspectors or official veterinary surgeons and 41 as managerial and administrative staff. Of the Civil Service grades, the MHS employs 1 female Grade 6, 4 HEOs and 8 EOs.

Letter from G. K. Bruce to Ms Tessa Jowell, dated 25 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply, on behalf of the Pesticides Safety Directorate, to your Question about the employment of women in the agency as this is an operational matter for which I am responsible. (32728)

As at 13 June 1996 there were a total of 212 people employed within the Pesticides Safety Directorate. Of these, 102 are women. The female staff are employed in the following Civil Service or equivalent grades:

	Number
Grade 7 (PSO)	3
SSO	9
HEO/HSO	31
EO/SO	17
ASO	8
AO	11
PS	4
AA	16
Typist	3
Total	102

Letter from Dr. J. M. Rutter to Ms Tessa Jowell, dated 25 June 1996:

The Minister has asked me to reply to your question about staff numbers as this is an operational matter for which I am responsible. (32728)

On 1 June 1996 the Veterinary Medicines Directorate employed 100 full time and 15 part time staff. Women were employed in 58 full time and 8 part time posts in the following grades:

	Full time	*Part time*
G6	—	1
G7	5	—
SRO II	1	—
RO	4	—
SSO	3	1
SEO	1	—
HSO	1	—
HEO	4	—
EO	9	1
AT	1	—
AO	13	2
AA	8	2
Typing Manager	1	—
PS	3	—
Typists	3	1
SGB II	1	—
Total	58	8

Letter from P. I. Stanley to Ms Tessa Jowell, dated 25 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question about the number of women employed in his Department's executive agencies and their grades in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible. (32728)

The total number of staff employed at CSL is 711, of which 326 are women. These figures include staff employed on a permanent, fixed-term or casual basis. The following chart shows details of numbers employed by Civil Service grade (or its equivalent).

Grade	Total number	Number of women
AA	91	70
AO	180	103
EO	187	90
HEO	124	46
SEO	69	14
G7	38	2
G6	18	1
G5	3	0
G3	1	0
Total	711	326

Letter from Phillip Needham to Ms Tessa Jowell, dated 25 June 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply direct to your Parliamentary Question in which you ask what is the total number of employed by each of the Next Steps Agencies under his Department's control; how many of those employees are women; and at what Civil Service or equivalent grades they are employed. (32728)

The information for ADAS is as follows:

Total number of staff employed: 1,852

Total number of women employed: 667

Women employed at Civil Service or equivalent grades:-

AA
AO
ASO
ASTLIB
CONS
CRAFT
EO
G6
G7
GFW
GO
HEO
HMCO
HSO
LIB
MCO
MCTG1
PS
PTO
SCS(M)
SCS(W)
SCS(WD)
SEC
SGBII
SGBII(C)
SO
ST
TL
TM
SCS(MD)

Letter from T. W. A. Little to Ms Tessa Jowell, dated 25 June 1996:

The Minister has asked me to reply to your question on employees in the Veterinary Laboratories Agency. (32728)

The information you ask for, as at 13 June 1996, is set out below. This relates only to permanent staff.

Grade[1]	Total staff	Female staff
3	1	—
5	3	—
6	14	1
7	41	3
SEO	125	38
HEO	78	26
EO	153	69
AO	356	230
AA	278	190
Total	1,049	557

[1] Including equivalent scientific grades.

SOCIAL SECURITY

Child Support

13. **Mr. Hain:** To ask the Secretary of State for Social Security how many parents with care and in receipt of income support are also receiving child support. [32984]

Mr. Andrew Mitchell: The latest available information shows that 267,500 cases involve parents with care assessed to receive child support who are in receipt of income support.

24. **Mrs. Bridget Prentice:** To ask the Secretary of State for Social Security what assessment he has made of the number of absent parents who should be paying child support who are currently paying nothing; and what proportion of the total this represents. [32997]

Mr. Mitchell: Some 203,000 absent parents should be paying full child support maintenance assessments and 55,400—27 per cent.—are not currently paying. A further 73,000 absent parents should be paying interim maintenance assessments and 85 per cent. of them are not paying anything.

Ms Lynne: To ask the Secretary of State for Social Security how many former liable relative cases are currently under the responsibility of the Child Support Agency; and how many of these cases do not have a full maintenance assessment. [33774]

Mr. Mitchell: This information is not available.

Mr. Jacques Arnold: To ask the Secretary of State for Social Security what changes he intends to make to the legislation governing reduced benefit directions for those who fail, without good cause, to co-operate with child support provisions. [34662]

Mr. Mitchell: We propose that reduced benefit directions should be increased to 40 per cent. of the adult income support personal allowance for three years, the penalty to be repeated at the end of each three-year period should the parent still be on benefit and unwilling to co-operate. We also propose to remove the six week cooling off period before the imposition of a reduced benefit direction from those parents with care who do not make written representations about their failure to comply. Amending legislation will be brought forward as part of a package of child support regulations which we intend to lay before the House on 26 June.

I believe that these changes will act as a disincentive to parents with care who are minded to collude with the absent parent to avoid child support maintenance and

encourage more parents with care to make contact with the Child Support Agency. The changes will be introduced alongside a range of operational improvements which are intended to make the processes involved and the advantages of co-operation clearer to parents with care.

17. **Mr. Mike O'Brien:** To ask the Secretary of State for Social Security on how many occasions the Child Support agency has provided inaccurate assessments of liability. [32990]

Mr. Andrew Mitchell: The information requested is not available. However, significant improvements have been made by the agency and, as at the end of March this year, the accuracy level stood at 79 per cent.

28. **Mr. Bennett:** To ask the Secretary of State for Social Security what changes he plans to the regulations governing the Child Support Agency. [33001]

Mr. Mitchell: I refer the hon. Member to the oral answer that I gave today to my hon. Friend the Member for Gravesham (Mr. Arnold).

Fraud

14. **Mr. Gallie:** To ask the Secretary of State for Social Security what assessment he has made of Operation Spotlight in Edinburgh on social security fraud; and if he will make a statement. [32985]

Mr. Heald: The campaign in Edinburgh received strong public support. Savings of £2.6 million have so far been recorded for the four-week period which compares with £5.6 million for the whole of last year. The hotline received over 900 calls, which will result in further savings. National insurance arrears of more than £400,000 were found.

Mr. Cartiss: To ask the Secretary of State for Social Security what plans he has to introduce Operation Spotlight in Great Yarmouth to tackle fraud by social security claimants; and if he will make a statement. [32971]

Mr. Heald: I announced on Wednesday 19 June that the "Spotlight on Benefit Cheats" campaign would operate in Great Yarmouth from 1 July to 26 July.

The campaign, which began in April this year, has been very successful. By 21 June, 11 separate areas of the country had been targeted, seven of them having completed their operational phase and an estimated £16.5 million of benefit fraud having been stopped.

Student Loans

15. **Mr. Illsley:** To ask the Secretary of State for Social Security what representations he has received regarding the inclusion of student loan income in the calculation of income with respect to benefit claims. [32986]

Mr. Burt: We have received a number of representations on this issue.

Income Statistics

18. **Mr. Robert Ainsworth:** To ask the Secretary of State for Social Security how many people in 1979 were living on *(a)* half or *(b)* less than half of the average income in that year. [32991]

Mr. Burt: The number of people with incomes below half the mean has risen from 4.4 million in 1979 to 11.4 million in 1992–93, before housing costs, and from 5 million to 14.1 million, after housing costs. Much of this rise was due to the 36 per cent. increase in average income.

Social Security Reforms

19. **Sir Geoffrey Johnson Smith:** To ask the Secretary of State for Social Security what estimates he has made of how much his social security reforms will save by the end of the century; and if he will make a statement. [32992]

Mr. Burt: The major reforms announced to date are expected to reduce public spending by around £5 billion a year in today's prices by the turn of the century and by £15 billion in the longer term.

Asylum Seekers (Child Benefit)

20. **Mr. Miller:** To ask the Secretary of State for Social Security what estimate he has made of the number of children in families seeking asylum who will not receive child benefit this year under the regulations. [32993]

Mr. Andrew Mitchell: I refer the hon. Member to my oral answer earlier today, to the hon. Member for Wolverhampton, North-East (Mr. Purchase).

Income Support (Diet)

21. **Dr. Lynne Jones:** To ask the Secretary of State for Social Security what assessment he has made of the ability of families and individuals living on income support to afford a healthy diet. [32994]

Mr. Roger Evans: A wide range of foodstuffs is available at affordable prices and a healthy diet is obtainable within the means of anyone receiving income support.

Housing Benefit Regulations

22. **Mr. Welsh:** To ask the Secretary of State for Social Security what discussions took place on the Housing Benefit (General) Amendment Regulations 1996 between his officials and the Scottish Office. [32995]

Mr. Roger Evans: From the time that the housing benefit proposals were announced, officials of this Department were in touch with those in the Scottish Office. The hon. Gentleman raised the issue of an exemption for care leavers in Scotland when these regulations were debated in the House on 5 June. In my response to his concern, I assured him that parallel legislation to cover Scottish care leavers will be put in place to come into force on 7 October 1996.

26. **Mr. Marlow:** To ask the Secretary of State for Social Security what is his estimate of the cost to local authorities for the adaptations needed to their computer systems as a result of changes in housing benefit regulations. [32999]

Mr. Roger Evans: The estimated cost to local authorities for adaptations to their computer systems arising from changes in the housing benefit regulations to be implemented during 1996 is £5.5 million, which has been met by central Government funds in full.

Private Pensions

23. **Mr. Nicholas Winterton:** To ask the Secretary of State for Social Security if he will make a statement on private pension provision. [32996]

Mr. Heald: Pensions funds are of huge importance for the country and its people. UK funds amount to nearly £600 billion—more than in all the other countries in the European Union put together. By providing security and enhancing choice, the measures in the Pensions Act 1995 will create the environment necessary for funded occupational and personal pensions to continue to thrive.

Benefit Overpayments

25. **Mr. Bellingham:** To ask the Secretary of State for Social Security what plans he has for recovering overpayments by benefit recipients. [32998]

Mr. Roger Evans: It remains the Department's policy that when a recoverable overpayment occurs, the Department will obtain recovery of the amount quickly and by the most cost-effective method, without causing hardship.

Rowntree Report

27. **Mr. Barry Jones:** To ask the Secretary of State for Social Security what policy changes he proposes consequent upon the Rowntree trust's report on poverty. [33000]

Mr. Andrew Mitchell: The report supports the Government's view that the most effective way of raising the living standards and prospects of unemployed people is by helping them return to work. Unemployment has fallen by nearly 800,000 since December 1992, and we are building upon this achievement with innovative policies on in-work and back-to-work benefits.

Mobile Information Unit

Mr. Trickett: To ask the Secretary of State for Social Security what plans he has for the mobile information unit; what is the current financial value of this unit; what has been the expenditure on the unit over the last five years; and how many residents the mobile information unit has been in contact with over the last five years. [33026]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jon Trickett, dated 24 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what plans he has for the Mobile Information Unit (MIU); what is the current financial value of this unit; what has been the expenditure on the unit over the last five years; and with how many residents the MIU has been in contact with over the last five years.

I have assumed that the MIU you refer to in your question is the MIU in Wakefield. The information is not available in the format requested. This is because the MIU for Wakefield was registered in December 1994, prior to this a unit was run by Kirklees District and covered a wider geographical area, serving several Districts.

A review of the customer services provided within the Yorkshire Area is ongoing. However, the MIU service in Wakefield has been suspended with effect from 3 June although a final decision on its future has not been made.

The current value of the MIU is estimated at £13,000.

The attached Annex gives details of expenditure and the number of customers seen.

I hope you find this reply helpful.

Mobile information unit—Wakefield

Period	*Staff costs (£)*	*Operating costs [1](£)*	*Number of customers seen*
1994–95 (from December 1994)	10,631	1,580.78	1,992
1995–96	31,988	9,745.60	10,814
1996–97 (to June 1996)	5,315	4,657.37	1,503

Data is provisional and subject to amendment.

[1] Operating costs including maintenance, garaging, diesel and valeting.

Incapacity Benefit

Mr. Foulkes: To ask the Secretary of State for Social Security if he will list the percentage withdrawal of benefit following all-work test examinations at each Benefits Agency office in Scotland for each month in *(a)* 1995 and *(b)* 1996 up to the most recent available month. [33608]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the tables:

Percentage withdrawal of benefit following all work test referrals to Benefits Agency medical services

April 1995 to May 1996

Local office	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*March*	*April*	*May*
Greenock	0	1.3	13.3	11.4	20	11.8	22.3	15.1	12.9	10.4	8.7	14.4	11.6
Port Glasgow	0	4	14.1	23.1	13.8	9.6	20.3	14	—	—	—	—	—
Motherwell	0	5.2	23	25.6	18.2	10.9	11.2	18.4	29.7	29.3	18.7	6.5	16
Hamilton	0	9	19.7	19.9	16.6	33.3	16.8	6.2	24.9	28.3	21.4	12.3	23.9
Coatbridge	0	3.9	24.2	16.1	15.9	17.5	15.2	22.5	25.7	9.2	23.7	12	17.4
Airdrie	0	2.8	19.2	17.2	15.6	13.3	9.4	23.6	24.1	8.5	20.8	6.9	—
Edinburgh South	0	2.6	3.9	3.1	3.6	4.4	4.9	10	5.9	2.7	2.4	2.9	3.8
Edinburgh East	0	1.3	6	16.9	9.9	3.1	26.8	28.1	9	9.8	11.3	17.3	25.1
Galashiels	0	7	11.6	6.7	11.9	9.4	11.3	14	13.9	16.1	11	15.7	17.9
Kirkcaldy	0	2	11	9.3	9.7	18.2	30.6	25	18.2	22.6	30	23	19.5
Cowdenbeath	2.7	13	0	24.6	21.2	22.8	30	10.2	25.8	18.6	20.1	12.5	8.3
Leven	3.3	9.2	10.8	9.8	18.3	21.2	17.6	25	11.9	14.1	14.2	12.9	19.5
Dunfermline	0	7.4	7.3	25.7	12.9	20	11.4	19.6	9.3	11.9	15.3	15.7	15
Stirling	0	2.6	9	8.1	8.2	8.4	18.1	16.6	15.6	15.2	12	8.1	15.3
Falkirk	0	2.7	3.5	12.9	12	24.6	17.6	12.7	11.3	15.9	10.5	10.4	10.7

Percentage withdrawal of benefit following all work test referrals to Benefits Agency medical services

April 1995 to May 1996

Local office	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*	*January*	*February*	*March*	*April*	*May*
Glasgow City	0	0	0	8.2	14	11.1	5.8	18.5	33.6	11.3	7.7	6.8	12.6
Glasgow Maryhill	0	0	0	8.4	8.9	12.4	7.1	19.8	33	15.7	10.2	4	15.4
Irwine	0	1.5	1.1	6.5	15.2	10	14.2	14	16.4	28.2	20.8	27.6	7.2
Kilmarnock	1.9	6.1	10.3	16.5	19.7	12.2	11.7	15.5	19.5	24.4	12.4	31.7	20.6
Clydebank	0	5.3	10.4	9	6.1	12.5	11	15.3	10.3	9.6	8.9	12	10.7
Cambeltown	0	0	17.9	3.9	7.7	20.5	17.1	20	10	16.7	0	16.2	13.2
Oban	0	0	18.7	0	0	13	29.8	14.3	7.1	28.2	23.8	25	12.5
Edinburgh City	0	1.7	5.6	20.5	22.1	23.9	12.6	15.1	15.5	17.2	14.2	19.8	12.9
Leith	0	0	15	1.8	8.1	5.3	4.6	2	6.7	7.4	8.6	5	1.6
Lothian West	1.9	5.5	10.2	14.5	12.8	15.1	12.4	11.2	13.6	11.1	11.2	7.5	10.6
Renfrew	0	4.9	9.2	10.9	16	10.4	7.8	10.5	4	14.4	14.8	13.7	7.8
Ayr	0	7.5	23.3	24.1	16.3	21.3	26.2	27.4	24.5	19.7	25.5	31.8	19.7
Dumfries	0	1.1	20.2	10.7	21.4	25.8	22.3	16.7	26.1	16.9	9.6	14.4	6.9
Stranraer	0	0	0	46.8	0	13.1	38.1	25.9	15.2	1.9	14.3	5.2	5.1
Dundee	0	6	11.7	18.4	19.8	22.9	24.9	17.7	15.9	16.1	17.9	15.3	16
Arbroath	0	5.2	15.2	9.6	26.9	15.3	11.4	5.2	18	14.2	18.8	12.4	15.6
Perth	0	0.9	6.5	8.7	13.6	8.9	16.1	9.3	11.5	9.6	11.9	10.2	6.3
Glasgow Shettleston	0	3.2	12.5	10.4	22.4	8.8	9.4	9.8	11.7	12.4	13.7	21.2	16.8
Glasgow Bridgeton	0	4.6	24.2	15.1	20.5	7.5	13.1	3.7	7.2	21.2	42	31.8	25.2
Glasgow Provan	0	3.4	10.9	12.3	23.2	9.7	13.3	3.9	6.6	14.9	10	64.2	18.1
Glasgow Laurieston	0	1.5	0.5	6.3	7	9.2	17.2	14.5	12.7	24.2	24.3	23.6	16
East Kilbride	0	0	0	9.1	15	16.9	15.5	12.1	14.5	19.4	30.7	24.4	10.5
Glasgow South West	1.4	4.8	10.8	15.8	16.5	16	19.1	20.5	22.9	18.7	20.9	28.5	26.7
Glasgow Springburn	0	4.2	5.7	5.1	6.9	14	19.4	5.1	12.1	15.9	15.2	13.6	10.7
Glasgow Cumbernauld	0	8.2	9.5	15.6	17.4	13	19.2	10.3	18.4	14.1	18.3	29.8	18.4
Glasgow Anniesland	0	0.9	13.4	11.2	13	4.6	25.3	19.3	14.1	20.6	10.2	15.4	10.5
Glasgow Patrick	0	0	12.1	10.2	18.1	6.8	17.5	22.8	11.5	18.6	12.9	12.7	15.3
Aberdeen	0.8	6.2	2.1	13.3	8.5	6.1	8.2	5.6	5.7	6.7	10.2	8.5	16.9
Lerwick	0	0	0	12.5	8.7	0	30.8	50	24	0	23.1	20	23
Peterhead	0	2.3	1.5	3.9	8.4	7.5	4.5	0.8	0	0.9	2.3	4.4	4.8
Inverness	0	5.5	12.6	8.7	13.3	9.8	11.8	17.5	12.2	13.9	18.7	10.4	6.3
Elgin	0	1.7	12.2	15.8	4.3	13.2	13.4	16.5	9.6	10.2	15.2	14	12
Fort William	0	5.9	4.2	0	7.1	8.6	8.6	0	11.6	5.3	13.7	25	6.6
Kirkwall	0	0	0	11.1	5.9	16.1	0	5.9	0	12.5	0	40	6.7
Stornoway	0	0	0	2.2	0	0	0	15.6	0	8.2	5.3	7.7	7.4
Wick	0	2.2	4.2	5.9	2.6	3.1	3.2	20.7	4.5	4.9	7.7	7.1	4.8

Notes:

1. Data for April 1995.—two cases were withdrawn benefit for the whole of Scotland, one in Leith and one in Clydebank.
2. Percentage withdrawal includes a small number of credits only cases withdrawn as they failed to return their questionnaire without good cause or failed to attend a medical.
3. From January 1996 data for Port Glasgow are included with the figures for Greenock.
4. From May 1996 data for Airdrie are included with the figure for Coatbridge.
5. The decision to withdraw benefit is made by the independent adjudication officer.

Source:

100 per cent. count of cases on the incapacity benefit system. Excludes a small number of clerically processed cases.

Disability Working Allowance

Mr. Chris Smith: To ask the Secretary of State for Social Security what percentage of people in receipt of disability working allowance were in work at the time of their claim. [33831]

Mr. Andrew Mitchell: In order to qualify for disability working allowance, a person must work for 16 hours or more a week. Therefore, all recipients of disability working allowance were in work at the time of their claim.

Child Benefit

Mr. Simon Coombs: To ask the Secretary of State for Social Security what assessment he has made of the benefits of providing child benefit to 16 to 18-year-olds. [32988]

Mr. Andrew Mitchell: Child benefit is paid in respect of some 72 per cent. of 16-year-olds, 59 per cent. of 17-year-olds and 38 per cent. of 18-year-olds who are continuing their education beyond the school leaving age. It is a significant contribution of £560 a year to their families. Without it, a family on average earnings would suffer a loss in income equivalent to a rise of 5p in the basic rate of income tax.

Pensioners

Mr. Harry Greenway: To ask the Secretary of State for Social Security how many pensioner households had a *(a)* fridge, *(b)* car, *(c)* freezer, *(d)* telephone and *(e)* television in 1981; and how many have these items currently. [33143]

Mr. Heald: The latest available information is for 1992–93. The proportion of pensioners with access to these consumer durables for 1981 and 1992–93 respectively are as follows: a fridge 92 per cent. and 99 per cent.; a car or van 37 per cent. and 50 per cent.; a freezer 34 per cent. and 78 per cent.; a telephone 67 per cent. and 93 per cent. The 1992–93 figures did not record televisions, but 96 per cent. of pensioners had access to a television in 1981.

Source:

Households below average income, 1981 and 1992–93.

WALES

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Wales how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33525]

Mr. Hague: The number of recorded accident reports under the three categories is as follows:

	(a) Minor	*(b) Major*[1]	*(c) Fatal*	*Computer related*
1995	112	3	Nil	3
1994	119	7	Nil	24
1993	85	7	Nil	4

[1]Cases which are required to be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

Before 1 January 1993, accident records were not maintained centrally.

Rented Accommodation

Mr. Wigley: To ask the Secretary of State for Wales what is his estimate of *(a)* the demand for, and *(b)* the supply of rented accommodation in Wales at the most recent available date. [33802]

Mr. Hague: Estimates are not produced in the form requested.

Unemployment (Construction Workers)

Mr. Wigley: To ask the Secretary of State for Wales what is his latest estimate of the total number of people in Wales who are currently unemployed whose preference for employment has been indicated as the construction industry. [33750]

Mr. Hague: In April 1996, the Employment Service recorded some 5,900 unemployed claimants in Wales who sought skilled construction work.

House Building

Mr. Wigley: To ask the Secretary of State for Wales how many houses have been built in Wales during the past 12 months in the *(a)* private, *(b)* voluntary and *(c)* public sector. [33753]

Mr. Hague: I refer the hon. Member to the reply given to the hon. Member for Alyn and Deeside (Mr. Jones) on 19 June, *Official Report*, column *507*, by my hon. Friend the Under-Secretary.

Employment (Construction Industry)

Mr. Wigley: To ask the Secretary of State for Wales what is the total number of people currently employed in the construction industry in Wales; and what was the corresponding figure *(a)* five and *(b)* 10 years previously.

Mr. Hague: The information requested is shown in the following table:

Employment[1] *in the construction industry in Wales, not seasonally adjusted*

	Number
Spring 1985	83,000
Spring 1990	113,000
Spring 1995	85,000
Winter 1995–96	80,000

Source:
Labour force survey.

[1]Includes employees, self-employed, Government-supported training and employment programmes and, since 1992, unpaid family workers.

Firearms

Mr. Llwyd: To ask the Secretary of State for Wales how many Government premises in Wales store guns or ammunition; what precautions are in place to prevent theft; how many instances of theft have occurred since 1990; if he will make it his policy to review security precautions; and if he will make a statement. [33977]

Mr. Hague: For security reasons I cannot disclose how many of my Department's premises in Wales store guns or ammunition, or provide details of the precautions which are in place to prevent theft. There has been one incident of theft of guns or ammunition since 1990. A review of security precautions is already under way in the light of that incident.

Welsh Development Agency

Mr. Llew Smith: To ask the Secretary of State for Wales what considerations underlay his direction to the Welsh Development Agency to sell by auction 25 lots of land on 18 June. [33868]

Mr. Hague: I have made no such direction. The agency will continue to provide quality sites and premises to new and expanding businesses in Wales and to inward investors. It is not the agency's role to be a long-term landlord; nor should it intervene where the market is capable of operating unaided. The current disposal programme is transferring ownership to the private sector and providing funds for the agency to re-invest in the Welsh economy, but the operational management of the programme is a matter for the agency.

Mr. Smith: To ask the Secretary of State for Wales if he will make a statement on measures taken since 1979 by the Welsh Development Agency to improve the physical environment in Wales. [33867]

Mr. Hague: This is an operational matter for the Welsh Development Agency. I will arrange for the chief executive of the agency to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Higher Education Funding Council

Mr. Sweeney: To ask the Secretary of State for Wales what assessment he has made of the adequacy of the business expertise of the current membership of the Higher Education Funding Council for Wales; and if he will make a statement. [34725]

Mr. Hague: The current membership includes three people with direct business expertise. I wish, nevertheless, to strengthen the council and have today appointed Dr. Kenneth Gray CBE, technical director of Thorn EMI, as a member of the council. I have also appointed Professor Brian Clarkson to the council.

They have been appointed for three years.

Mr. Morgan: To ask the Secretary of State for Wales on what date his Department was informed of the proposal to set up the Welsh ambulance policy and advisory group; what undertakings he gave of departmental co-operation with it; and if he will make a statement. [34283]

Mr. Hague: My Department was informed of proposals by trusts to establish a Welsh ambulance policy advisory group in October 1994. The group is independent of my Department but my officials were invited to attend meetings. The group's first formal meeting was held on 16 January 1995.

GP Trainees

Mr. Ainger: To ask the Secretary of State for Wales if he will list the number of general practitioner trainees on three-year rotational schemes for each year from 1990 to 1995 and the number so far enrolled in 1996; how many of those are currently in the hospital practice part of the scheme; how many started the scheme and how many completed it in each year; and how many of those starting the scheme were United Kingdom graduates. [33922]

Mr. Gwilym Jones *[holding answer 21 June 1996]:* I refer the hon. Member to the reply that I gave him on 10 June, *Official Report*, column *56*.

Written Answers to Questions

Wednesday 26 June 1996

DUCHY OF LANCASTER

Contracts

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster if he will list *(a)* the average value of contracts awarded by his Department *(b)* the value of (i) the smallest and (ii) the largest contract awarded *(c)* the number of contracts with a value of (1) £0–£999, (2) £1,000–£9,999, (3) £10,000–£49,999, (4) £50,000–£99,999, (5) £100,000–£499,999, (6) £500,000–£999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34153]

Mr. Willetts: The information is not held centrally in the form requested and is available only at disproportionate cost.

Compliance Cost Assessment

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34152]

Mr. Freeman: The Government require a compliance cost assessment to be prepared for all legislative proposals which affect business or charities. Departments must consult small businesses about the impact of the proposal on them, and the results must be shown in the CCA. Full details of the arrangements for carrying out a CCA are set out in "Checking the Cost of Regulation: A Guide to Compliance Cost Assessment", a copy of which is in the House Library.

Occupational Health and Safety Agency

Mr. Tim Smith: To ask the Chancellor of the Duchy of Lancaster if he will make an announcement on the progress of the sale of the Occupational Health and Safety Agency. [34972]

Mr. Freeman: The House was informed on 23 November last year that it was the Government's intention to sell the Occupational Health and Safety Agency as a single viable business in a way which would ensure that it retained its reputation for the provision of high-quality occupational health services to Government Departments and the wider public sector while allowing it to benefit from the freedom and opportunities for attracting new customers to be gained outside the constraints of operating within Government.

A large number of expressions of interest were received following the advertisement of the sale in May this year. These have subsequently been reduced through an indicative bid procedure. A final shortlist of four has now been selected. Those being invited to submit final bids are:

Occupational Health Care (OHC)

Healthcall Group PLC

Facilities Services Group

BMI Healthcare.

I believe that this shortlist will lead to final bids which maximise the prospects of securing good long-term value for money for the Government and taxpayer while meeting the objectives set for the sale of the business.

HOME DEPARTMENT

Immigration

Mr. Fraser: To ask the Secretary of State for the Home Department if he will propose an amendment to the immigration rules in order to continue leave to take employment for a migrant who, having had leave to remain and work in the United Kingdom, applies in good time for a renewal of that leave and make interim provision for the period between the expiry of the old leave and any grant or refusal of new leave. [33319]

Mr. Kirkhope: No amendment is necessary. The Variation of Leave Order 1976 provides that, when a person applies for an extension of stay before the expiry of his leave, the conditions attached to that leave continue until the application is resolved.

Boundary Commission

Mr. Nigel Evans: To ask the Secretary of State for the Home Department if he will announce who will be deputy chairman of the Parliamentary Boundary Commission for England. [35047]

Mr. Howard: The Lord Chancellor has appointed Mr. Justice Michael Harrison to serve as the deputy chairman of the Parliamentary Boundary Commission for England. This appointment is effective until 31 December 1999.

Contracts

Mrs. Roche: To ask the Secretary of State for the Home Department if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34127]

Mr. Howard: The information required to answer this question is not held centrally and could be obtained only at disproportionate cost.

LORD CHANCELLOR'S DEPARTMENT

Compliance Cost Assessments

Mrs Roche: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessments *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34130]

Mr. Streeter: I refer to the written answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster setting out the Government's requirements for the preparation of compliance cost assessments.

Contracts

Mrs. Roche: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34131]

Mr. Streeter: Details of every contract let by the Department are not held in central registers and could be provided only at disproportionate cost. However, analysis of the 617 contracts awarded in 1995-96 which are held in central registers is as follows:

(a) £100,611

(b) (i) £42

(b) (ii) £24 million

(c) (1) 55

(c) (2) 219

(c) (3) 219

(c) (4) 51

(c) (5) 58

(c) (6) 8

(c) (7) 7

(d) 617.

OVERSEAS DEVELOPMENT ADMINISTRATION

Sierra Leone

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the new Government of Sierra Leone concerning the restoration of human rights in that country and the bringing to justice of those guilty of the violation of human rights in that country. [24055]

Mr. Hanley: We are encouraging the civilian Government to carry forward the process of political reform and are giving support for good governance projects in areas such as the police and judiciary.

Orphans (HIV)

Mr. Kirkwood: To ask the Secretary of State for Foreign and Commonwealth Affairs what resources have been allocated to programmes addressing the care and support of orphaned children in countries affected by the HIV epidemic. [34443]

Mr. Hanley: The ODA does not provide funds specifically for the development of institutional care for children orphaned by HIV-AIDS, but prefers to support work which enables communities themselves to care for people affected by HIV-AIDS. Examples of this approach include ODA funding for a home-based care training programme in Chingola, Zambia and for an AIDS education, prevention and community care programme in Kenya. Through its grants to UNICEF, the ODA contributes to similar projects being implemented throughout the developing world. The percentage of ODA bilateral and multilateral resources applied exclusively to the care of orphans is not calculable.

PRIME MINISTER

Prime Ministerial Visits

Mr. Win Griffiths: To ask the Prime Minister if he will list *(a)* the visits he has made to Wales to carry out official duties and *(b)* the dates of those visits. [34417]

The Prime Minister: I have visited Wales on official business on the following occasions since I became Prime Minister:

14 June 1991

20 September 1991

3–4 September 1992

11 June 1993

28 October 1994

13–14 June 1996

In addition to these, I have visited Wales on a number of other occasions.

HOUSE OF COMMONS

Serjeant at Arms Office

Dr. Lynne Jones: To ask the Chairman of the Administration Committee when he expects that the recommendations arising from the survey into the Serjeant at Arms Office will be implemented. [34669]

Mr. Michael J. Martin: The Administration Committee has not been directly involved in the Serjeant at Arms' survey, but any matters that fall within its areas of responsibility are being considered as soon as they are brought to the attention of the Committee.

NATIONAL HERITAGE

Contracts

Mrs. Roche: To ask the Secretary of State for National Heritage if she will list *(a)* the average value of contracts awarded by her Department *(b)* the value of (i) the smallest and (ii) the largest contract awarded *(c)* the

number of contracts with a value of (1) £0–£999, (2) £1,000–£9,999, (3) £10,000–£49,999, (4) £50,000–£99,999, (5) £100,000–£499,999, (6) £500,000–£999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34157]

Mr. Sproat: The information on contracts is not readily available in the detail and format requested and could be obtained only at disproportionate cost.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for National Heritage what proposals she has to ensure that each legislative measure put forward by her Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34156]

Mr. Sproat: I refer to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

FOREIGN AND COMMONWEALTH AFFAIRS

Antartica

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what controls are in place to protect the Antarctic environment from contamination; and what are the penalties for breaches of those controls. [34429]

Sir Nicholas Bonsor: Provisions to protect the Antarctic environment are to be found in various treaties, including the environmental protocol to the Antarctic treaty (1991), the convention on the prevention of marine pollution by dumping of wastes and other matter (1972), the international convention for the prevention of pollution from ships (1973/1978) and the Basel convention on the control of transboudnary movements of hazardous wastes and their disposal (1989). The Antarctic Act 1994 implements the environmental protocol. The maximum penalty for offences under the Act is an unlimited fine and/or two years imprisonment.

BBC World Service

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will introduce measures to insulate the BBC World Service from the effects of the proposed reorganisation of the BBC. [33451]

Mr. Hanley: This Department has received assurances from the BBC that the quality of World Service programmes will be unaffected by the proposed new arrangements, that clear separation between the grant in aid funded World Service and the BBC's other activities will be maintained, and that we will be fully consulted on the implications of the proposals for the World Service.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to ensure that each legislative measure put forward by his Department contains compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34122]

Mr. Hanley: I refer the hon. Member to the answer given by the Chancellor of the Duchy of Lancaster today.

Contracts

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34123]

Mr. Hanley: This Department does not have the information available in the form requested and could provide it only at disproportionate cost.

European Union

Mr. Rathbone: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the impact of the Government's policy of non-co-operation with European Union partners. [32618]

Mr. David Davis *[holding answer 24 June 1996]:* The Government have ended its policy of non-co-operation, having secured their two objectives of an end to the ban on beef derivatives and agreement on a clear framework for lifting the wider ban. As my right hon. Friend the Prime Minister said in his statement to the House on 24 June, non-co-operation was the decisive factor in ensuring this result in such a short space of time.

TRADE AND INDUSTRY

European Single Electricity Market

Dr. Howells: To ask the President of the Board of Trade if the United Kingdom Government supports the Italian presidency text of the Commission directive on the European single electricity market. [34350]

Mr. Eggar: At the Energy Council of 20 June, which I attended, political agreement was reached on a proposal for a Council directive to liberalise electricity markets based on the Italian presidency text. Although the agreement falls short of what the United Kingdom was seeking, it represents an important first step in the opening of the electricity market in the European Union. The United Kingdom, Netherlands and Finland entered a minutes statement regretting that the agreed text did not provide a greater degree of initial market opening and a shorter timetable. That statement also emphasised the importance of ensuring that the directive led to equivalent economic effects in the member states.

Contracts

Mrs. Roche: To ask the President of the Board of Trade if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000

to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34139]

Mr. Lang: This information is not held centrally and could be provided only at disproportionate cost.

Compliance Cost Assessments

Mrs. Roche: To ask the President of the Board of Trade what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34138]

Mr. Page: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Regional Selective Assistance

Mr. Jamieson: To ask the President of the Board of Trade if every application for his Department's regional selective assistance is *(a)* considered and *(b)* offered by DTI regional offices; if the value of the grant determines whether central or regional offices are responsible for the granting of this financial assistance; what other reasons require responsibilities to change between offices; and if he will make a statement. [30029]

Mr. Oppenheim *[holding answer 20 May 1996]:* Government offices in the regions normally appraise applications for regional selective assistance up to the value of £2 million with the advice of regional boards. Applications above this level are appraised in headquarters. All offers of £1 million or more are subject to ministerial approval.

Applications for RSA may be considered by another regional board in certain circumstances, for example, where there is a potential conflict of interest.

ATTORNEY-GENERAL

Compliance Cost Assessments

Mrs. Roche: To ask the Attorney-General what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34128]

The Attorney-General: I refer to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster. In practice, my Department is responsible for few, if any, legislative measures of relevance to small firms.

Contracts

Mrs. Roche: To ask the Attorney-General if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999 (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34129]

The Attorney-General: Information for the Departments and agencies for which I am responsible is provided on the basis of such information as is readily available and is as follows:

Information on contracts of less than £10,000 is not readily available and could be obtained only at disproportionate cost. Details of contracts of £10,000 and above are as follows[1]:

Question	
Crown Prosecution Services	
(a)	£122,227
(b) (i)	£10,312
(b) (ii)	£2,862,589
(c) (3)	77
(c) (4)	20
(c) (5)	10
(c) (6)	4
(c) (7)	4
(d)	115
Treasury Solicitor's Department[2]	
(a)	£41,122
(b) (i)	£230
(b) (ii)	£560,000
(c) (1)	2
(c) (2)	14
(c) (3)	13
(c) (4)	2
(c) (5)	2
(c) (6)	1
(c) (7)	0
(d)	34

Serious Fraud Office: The information requested is not available and could be obtained only at disproportionate cost.

[1] Estimated values are given where the total value of a contract was not known at the time the contract was awarded.

[2] Does not include service level agreements with other Crown bodies.

TREASURY

Recruitment

Mr. Donohoe: To ask the Chancellor of the Exchequer how much his Department spent in recruiting staff to his Department and its executive agencies during the 1994–95 and 1995–96 financial years; and how many staff were recruited in each of these years. [31390]

Mrs. Angela Knight: Details of the costs and numbers of staff recruited by the Chancellor's Departments and executive agencies are given in the following table:

Recruitment expenses by Chancellor's Departments and their Executive Agencies

Department	*Number of staff recruited*	*Recruitment costs (£)*
1994–95 financial year		
HM Treasury	13	64,625
HM Customs and Excise	455+34 fixed term appointments	283,000
HM Inland Revenue	1,310	444,037
Office for National Statistics	68	202,388

Recruitment expenses by Chancellor's Departments and their Executive Agencies

Department	*Number of staff recruited*	*Recruitment costs (£)*
Department for National Savings	35 including 8 short term appointments	39,961 including 2,931 short term appointments
Royal Mint	55	14,750
PAYMASTER	6	58,648
1995–96 financial year		
HM Treasury	19	263,978
HM Customs and Excise	625+154 fixed term appointments	199,000
HM Inland Revenue	2,428	420,367
Office for National Statistics	79	82,274
Department for National Savings	16	12,481
Royal Mint	57	18,892
PAYMASTER	7	10,420

1. The figures for HM Inland Revenue include the Valuation Office Agency.

2. The large difference in the recruitment costs between one year and the next for HM Treasury is a result of payments for staff recruited in 1994–95 being paid in 1995–96.

3. Recruitment costs include direct payments for services, recruitment advertising and administrative costs.

Mr. Donohoe: To ask the Chancellor of the Exchequer what use his Department and its executive agencies have made of executive search agencies or employment companies in filling vacancies within his Department or executive agencies administered by his Department during the financial years 1994–95 and 1995–96; what agencies were employed; what was the cost in each case; how many staff were recruited in each case; and what was the total cost in each financial year of these contracts. [31405]

Mrs. Knight: The information requested for the Chancellor's departments and agencies is given in the table:

Use of Executive Search agencies and employment companies by Chancellor's Departments and their Executive Agencies

Department	*Agency*	*Number of recruits*	*Costs (£)*
1994–95			
HM Treasury	RAS	13	64,625
HM Customs and Excise	Paul Goodman	6	23,000
	RAS scheme 1	3	9,282
	RAS scheme 2	1	13,159
HM Inland Revenue	MSL International Ltd.	2	30,000
Office for National Statistics	RAS	12	100,503
Department for National Savings	BNA	1	1,550
Royal Mint	nil	nil	nil
PAYMASTER	RAS scheme 1	1	26,293
	RAS scheme 2	2	28,697
1995–96			
HM Treasury	RAS	19	263,978
HM Customs and Excise	Paul Goodman	7	24,000
	RAS scheme 1	2	4,844
	RAS scheme 2	24+1 fixed term appointment	2,468
HM Inland Revenue	nil	nil	nil
Office for National Statistics	RAS, GSS Korn Ferry International	23	53,484
Department for National Savings	BNA	nil	436
Royal Mint	nil	nil	nil
PAYMASTER	nil	nil	nil

Inland Revenue includes the Valuation Office Agency. The £436 for the Department for National Savings is for a six week extension to a 1994–95 contract.
RAS: Recruitment and Assessment Services.
GSS: the Government Statistical Service.
BNA: British Nurses Association.

Health and Safety

Mr. Ian McCartney: To ask the Chancellor of the Exchequer what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33454]

Mrs. Knight: Costs incurred by the Treasury over each of the past five years for compensation paid to employees or their families, or members of the public as a result of minor injuries related to the work of the Department are as follows:

1991: £3,270
1992: Nil
1993: £1,500
1994: Nil
1995: Nil

No major or fatal injuries occurred during this period. Sick pay costs are deducted from the compensation awarded; therefore, no sick pay costs were incurred.

No compensation claims involved information technology or expenditure of more than £5,000.

Mr. McCartney: To ask the Chancellor of the Exchequer what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33455]

Mrs. Knight: The information requested is not available and could be provided only at disproportionate cost. However, significant sums have been spent maintaining buildings, furniture and equipment to acceptable standards, including measures to meet health and safety requirements. Expenditure in the Treasury has included the removal of asbestos; the provision of new furniture and replacement lighting to comply with the

Display Screen Equipment Regulations 1992; and the installation of fire detection equipment to meet current fire standards.

Mr. McCartney: To ask the Chancellor of the Exchequer how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33453]

Mrs. Knight: The table gives the number of injuries suffered by staff in the Treasury, HM Customs and Excise, the Office for National Statistics, Paymaster, the Valuation Office and the Royal Mint in each of the past five years.

	1991[1]	*1992*	*1993*	*1994*	*1995*[1]
Minor injuries	697	1,376	1,293	[2]1460	579
Major injuries	3	6	5	2	4
Fatal injuries	[3]1	—	[4]1	—	[5]1
Of the minor injuries the following were IT related:					
	3	5	2	1	nil

[1] Data for Customs and Excise for 1991 and 1995 are unavailable.

[2] Two injuries involved electric shocks from computer equipment in Customs and Excise.

[3] A maintenance fitter working for the Royal Mint suffered head injuries whilst carrying out work on factory plant.

[4] Customs Officer fell into the hold of a ship whilst undertaking a search of the vessel.

[5] A transport operator working for the Royal Mint was killed when his fork-lift truck overturned.

The Inland Revenue does not maintain comparable information. However, records of claims for compensation for upper limb disorder (RSI) injuries directly related to information technology are as follows:

1991: 20

1992: 24

1993: 41

1994: 43

1995: 47

The Inland Revenue also had one fatality over this five-year period; a member of staff working in the Saphire Plaza building in Reading contracted Legionnaires' disease. The Health and Safety Executive was involved in an investigation.

Price Competitiveness (Manufacturers)

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what is the effect of the present level of real interest rates on the price competitiveness of British manufacturers on overseas markets. [34481]

Mrs. Knight: Real interest rates are one of many factors which may have an effect on the price competitiveness of British exports of manufactures.

Trade Deficit

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what was the change in the deficit in balance of trade with Germany between 1993 and the first quarter of 1996; what assessment he has made of the reasons; and what was the change in United Kingdom manufacturing output and jobs as a result. [34480]

Mrs. Angela Knight: The change in the deficit on trade in goods with Germany from the first quarter of 1996, compared to an average per quarter in 1993 was £0.7 billion. This is not surprising as, since 1993, the UK economy has grown faster than the German economy, and import prices have risen more than export prices. There is no simple relationship between manufacturing output and employment and the balance of trade with Germany.

Mr. Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the effect on output and the number of jobs lost in United Kingdom manufacturing of the deficit in trade in manufactures. [34479]

Mrs. Knight: There is no simple relationship between manufacturing output and employment and the balance of trade in manufactures.

Contracts

Mrs. Roche: To ask the Chancellor of the Exchequer if he will list *(a)* the average value of contracts awarded by his Department *(b)* the value of (i) the smallest and (ii) the largest contracts awarded *(c)* the number of contracts with a value of (1) £0–£999, (2) £1,000–£9,999, (3) £10,000–£49,999, (4) £50,000–£99,999, (5) £100,000–£499,999, (6) £500,000–£999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34147]

Mrs. Angela Knight: The information is given in the table:

(a) Average value of contracts	£8,777
(b) (i) smallest contract	£6.38
(ii) largest contract	£2.6 million
(c) (1) £0–£999	785 contracts
(2) £1,000–£9,999	323
(3) £10,000–£49,999	67
(4) £50,000–£99,999	25
(5) £100,000–£499,999	10
(6) £500,00–£999,999	0
(7) above £1,000,000	2
(d) Total contracts	1,212

Mrs. A. McHale

Mr. Dowd: To ask the Chancellor of the Exchequer when the Treasury Solicitors will be able to provide the legal advice requested by the Ministry of Defence in February in the case of Mrs. A. McHale of Catford SE6. [34084]

Mrs. Angela Knight *[holding answer 24 June 1996]:* The Department for National Savings, not the Ministry of Defence, sought the advice of the Treasury Solicitor's Department. Advice has now been given.

ENVIRONMENT

Habitat II Conference

Mr. Dafis: To ask the Secretary of State for the Environment if he will make a statement on the outcome of the UN Habitat II conference in Istanbul. [33450]

Mr. Gummer: The United Kingdom played an active and positive role at the United Nations conference on human settlements. I led the UK delegation and also played an active part as a member of the UN Secretary-General's international advisory group for the conference. A new basis for policy was established, in which urban areas are seen not as a threat to the environment but as the environment for an increasing majority of people.

The United Kingdom report prepared for the conference was very well received. It served as a sound basis for our contribution to the negotiation of the habitat agenda, which is the main output of the conference. This sets out a comprehensive framework which can be used by all those who are responsible for achieving the two objectives considered by the conference—adequate shelter for all and sustainable human settlements development. It also reaffirms the right to housing. We also contributed to the drafting of the "Istanbul declaration", the statement of political will to implement the habitat agenda, that underlines the need for a partnership approach and support for local action.

This was the first major UN conference where local authorities, UK representatives prominent among them, played a key role. In the UK, the conference consolidated a constituency of Government, local authorities and nongovernmental organisations interested in formulating sustainable human settlements policies. The local agenda 21 process, will be the primary vehicle for Habitat II follow-up. The Government's round table and panel on sustainable development will also have an important role.

I have placed a copy of my speech in the Library of the House.

Regional Assistance

Mr. Jopling: To ask the Secretary of State for the Environment if he will make a statement on the progress of applications for objective 5b grants in Cumbria; and if he will provide a list of approvals and the sums involved. [34241]

Mr. Curry: To date, there have been 25 formal offers for objective 5b grants in Cumbria, totalling £2,678,500. A full schedule of these approvals and sums involved is given.

Applicant	*File ref.*	*Project title*	*Decision*	*Date*	*Grant Approved*
Cumbria Tourist Board	EUR/611/503/1/NW	Tourist Market Forecast	F	13 May 1996	20,000.00
North Pennine Heritage Trust	EUR/557/501/1/NW	Rampgill Visitor Centre	F	13 February 1996	78,745,00
Carlisle College	EUR/606/501/1/NW	Rural Flexitech	F	1 May 1996	8,098,00
Voluntary Action Cumbria	EUR/586/501/1/NW	Rural Resource Centre	F	25 October 1995	32,809,00
Alston Town Hall Trustees	NW3878EUR	Alston Town Hall Multi Purpose Centre, Project Co-ordinator	F	21 May 1996	4,545.50
Voluntary Action Cumbria	NW39125EUR	Rural Comm Support Obj 5B Area Cumbria	F	29 January 1996	104,604.00
Kendal College	EUR/631/501/2/NW	Encouragement of Enterprise to Develop Existing SME's	F		11,594.00
Carlisle College	EUR/606/501/2/NW	Vocational Training & Upskilling in Key Skills req. by SME's	F		35,028.00
Newton Rigg College	EUR/556/510/2/NW	Upskilling Supervisors in the Food Business	F		6,242.00
Newton Rigg College	EUR/556/511/2/NW	Training and Assessment Skills for Small Businesses	F		1,530.00
Cumbria TEC	EUR/518/507/2/NW	Appleby Training Centre	F		12,626.00
Cumbria TEC	EUR/518/506/2/NW	Graduate/Redundant Manager Placement Scheme	F		16,830.00
Cumbria TEC	EUR/518/503/2/NW	Rural Business Skills Training	F		11,857.00
Cumbria TEC	EUR/518/502/2/NW	Improving Competitiveness of SME's through Training	F		17,046.00
Cumbria TEC	EUR/518/501/2/NW	Rural Self-Employment Start-Up/scheme	F		14,994.00
TEED	EUR/73/506/2/NW	Cumbria TEC—Business Start-up	F		14,647.00
TEED	EUR/73/505/2/NW	Cumbria TEC—Construction Training	F		52,008.00
TEED	EUR/73/503/2/NW	Cumbria TEC—Business Administration Training	F		6,174.00

Applicant	File ref.	Project title	Decision	Date	Grant Approved
TEED	EUR/73/502/2/NW	Cumbria TEC—Modern Apprenticeship Programme	F		11,587.00
East Cumbria Countryside Project	NW40208EUR	East Cumbria Environmental Action Programme	F	29 February 1996	95,550.00
Cumbria CC	NW40216EUR	Made in Cumbria (Revenue)	F	26 March 1996	32,000.00
Cumbria CC	NW40219EUR	Birdsoswald Roman Fort—Feasibility Study (Rev)	F	22 February 1996	5,000.00
The National Trust	NW40206EUR	Upland Access: Langdale Valley	F	15 March 1996	28,558.00
Alston Town Hall Trustees	NW40222EUR	Alston Town Hall Multi-Purpose Community Centre	F	21 May 1996	56,462.76
Sum					678,535.26
Cumbria County Council	NW39818EUR	"Hills of the North"	F	31 May 1996	2,000,000
Total					£2,678,535.26

Mr. Vaz: To ask the Secretary of State for the Environment if he will give details of outputs claimed for the financial years 1994–95 and 1995–96 by region. [34506]

Sir Paul Beresford: The annual report of the Department, Cm 3207, gives the latest information about outputs from the Department's programmes, broken down where appropriate by region. Final figures for 1995–96 are not yet available.

Mr. Vaz: To ask the Secretary of State for the Environment what leverage was achieved by region against expenditure broken down into contributions by *(a)* the private sector, *(b)* the public sector, *(c)* European Union funding and *(d)* other, in the financial year in 1995–96. [34394]

Sir Paul Beresford: The latest information about financial expenditure on the Department's programmes is set out in the Department's *Annual Report* Cm 3207. Where possible, this is broken down by region. Final figures for 1995–96 are not yet available.

Asbestos

Mr. Cohen: To ask the Secretary of State for the Environment if he will *(a)* undertake a survey of all public buildings and *(b)* maintain a database to indicate the presence and location of asbestos in the United Kingdom and if he will make a statement. [33650]

Mr. Clappison: A survey of asbestos in public buildings will not be undertaken. Instead, Government Departments are working together to raise public awareness of the risks of exposure to asbestos and the need for sound management of asbestos materials in all buildings. The Department of the Environment gives advice on surveying buildings for asbestos and its subsequent management within the guidance document "Asbestos Materials in Buildings", which was first published in 1983 and has been regularly updated. This guidance is aimed at building owners, managers and local authorities. The Health and Safety Executive also issues guidance to owners and employers on the management of asbestos in buildings. It advises that employers should locate, identify and keep a record of all asbestos in their premises and ensure that all workers/contractors who are likely to work on it are aware of its presence.

Mr. Cohen: To ask the Secretary of State for the Environment if asbestos may still be used for gutters; and if he will make a statement. [33651]

Mr. Clappison: White asbestos incorporated into asbestos cement may still be used to make gutters. In practice, other materials are now more commonly used.

Mr. Cohen: To ask the Secretary of State for the Environment if he will list the current permitted uses for asbestos in the United Kingdom; and if he will make a statement. [33652]

Mr. Clappison: The use of asbestos in the United Kingdom is controlled by the Asbestos (Prohibitions) Regulations 1992 and the Asbestos (Prohibitions) Regulations (Northern Ireland) 1993. These regulations prohibit the marketing and use of all forms of amphibole asbestos, which includes blue and brown asbestos, and many uses of white, chrysotile, asbestos. Further limitations on the use of white asbestos are contained within the Asbestos Products (Safety) Regulations 1985. Uses of white asbestos which are not specified in any of these regulations are permitted, although in practice the most common use is in asbestos cement and heavy bearing materials such as gaskets.

Mr. Cohen: To ask the Secretary of State for the Environment what assessment he has made of the use of asbestos for gutters. [33653]

Mr. Clappison: No assessment has been made specifically of the use of asbestos in gutters. However, a more general assessment of the uses of, and exposure to, asbestos in the non-workplace environment is currently being performed on behalf of this Department. The results of this work will be published early next year.

Albert Dock, Merseyside

Mr. Parry: To ask the Secretary of State for the Environment how many times the Albert Dock Management Co. has carried out repairs to the apartments overlooking the River Mersey since December 1988; and if he will make a statement. [33895]

Sir Paul Beresford: The Albert Dock Management Co. is not responsible for carrying out repairs to apartments. That responsibility falls on the occupiers. The Albert Dock Management Co. is responsible for the common parts and the structure.

Mr. Parry: To ask the Secretary of State for the Environment if he will list the current service charges levied by the Albert Dock management; what assessment he has made of the value for money provided; and if he will make a statement. [33896]

Sir Paul Beresford: The service charge at the Albert dock for the Colonnades residential units covers a range of services including 24-hour security, insurance—including terrorism insurance—all repairs to common parts, the cleaning and decoration of common parts, refuse collection, all structural repairs and a contribution to the overall management of the external areas around Albert dock. The service charge account is audited on an annual basis and certified in accordance with the leasehold interest of each resident and the Landlord and Tenant Act 1987. The level of the service charge is a private and confidential matter between the Albert Dock Management Co. and each individual tenant and it would be inappropriate for the information to be divulged.

Mr. Parry: To ask the Secretary of State for the Environment who owned the land in the area of the Albert dock prior to the take over of the development corporation. [33897]

Sir Paul Beresford: Mersey Docks and Harbour Co. owned Albert dock prior to its purchase by Merseyside development corporation in 1982.

Mr. Parry: To ask the Secretary of State for the Environment how many representations have been received by the *(a)* chief executive and *(b)* chairman of the Merseyside development corporation from (i) the Albert dock residents association and (ii) right hon. and hon. Members concerning the Albert Dock Management Co.; and if he will make a statement. [33898]

Sir Paul Beresford: The chief executive of MDC has received eight letters from the Albert Dock residents association over the last two years and the chairman of the MDC has received five letters from the residents association. The hon. Member for Liverpool, Riverside has written to the chairman on one occasion, 11 October 1995, and my right hon. Friend the Member for Wirral, West (Mr. Hunt) wrote to the chairman on 21 February 1996 forwarding a letter from the Albert Dock residents association.

Mr. Parry: To ask the Secretary of State for the Environment what representations he has received from residents of Albert dock concerning their future lease after the Merseyside development corporation ceases to exist; and if he will make a statement. [33925]

Sir Paul Beresford: The Secretary of State for the Environment has received nine letters from residents of the Albert dock concerning both their future lease and other issues.

Development Corporations

Mr. Parry: To ask the Secretary of State for the Environment how many development corporations are currently in existence; and how many have residential blocks within their grounds. [33899]

Sir Paul Beresford: There are nine development corporations in existence, of which six have residential blocks in their respective areas.

Contracts

Mrs. Roche: To ask the Secretary of State for the Environment if he will list *(a)* the average value of contracts awarded by his Department *(b)* the value of (i) the smallest and (ii) the largest contract awarded *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34149]

Sir Paul Beresford: The information requested is not held centrally and is available only at disproportionate cost.

Navigation

Sir Anthony Durant: To ask the Secretary of State for the Environment if he will announce the Government's conclusions on the review of the navigation functions of British Waterways and the Environment Agency; and what proposals the Government have to improve co-operation between navigation authorities and planning authorities. [34855]

Mr. Robert B. Jones: My Department issued a consultation paper on 15 February 1995 reviewing the navigation functions of British Waterways and the Environment Agency—the latter were then the functions of the National Rivers Authority. The Government have considered the responses received to that consultation paper.

The Government recognise that there is room for improvement in the way in which navigation authority arrangements operate but consider that there is no single, obvious, right answer everywhere regardless of local circumstances. The Government therefore support the initiative taken by British Waterways and the Environment Agency to pursue jointly a programme of studies examining individual navigations in consultation with users and others. The studies will examine the present arrangements and the options for change in administering navigation. The Government have asked them to make preliminary reports to Ministers by October 1996. The results of the studies will provide a solid basis for Government decisions on individual transfers of responsibility from one navigation authority to another.

Meanwhile, the Government welcome and will encourage co-operation between British Waterways, the Environment Agency and other navigation authorities to draw better value from the waterway system and develop a more commercial approach and coherent strategy for development of inland waterways. Improvements will include streamlining licensing and charging and providing a better focus for marketing and customer representation.

The Government have published a paper setting out the results of the consultation exercise and the Government's conclusions and copies have been placed in the Library of the House.

The Government believe that planning authorities and navigation authorities should work together in the development of the waterways' potential benefits. The Government will shortly be issuing a consultation paper proposing that planning authorities should be under the statutory obligation to consult British Waterways where their navigations are affected by planning applications. This would give British Waterways the same status in the planning process as other statutory consultees such as the highway authority or the Environment Agency.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for the Environment what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34148]

Sir Paul Beresford: I refer the hon. Member to the reply given earlier today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

TRANSPORT

Domestic Air Services

Mrs. Dunwoody: To ask the Secretary of State for Transport what mechanism his Department uses to ensure that the public interest is protected against the dominance of one airline in the UK, with special reference to domestic services. [32794]

Mr. Norris: Under EC regulation 2409/92, the Secretary of State, having taken advice from the CAA, has powers to:

(a) require a fare on an intra-EC route to be withdrawn where he considers that the fare is excessively high to the disadvantage of users in relation to costs; and

(b) stop further reductions in air fares on an intra-EC route, if he considers that there has been sustained down movement in fares unrelated to costs, resulted in widespread losses among the air carriers operating on that route.

The Director General of Fair Trading has powers to apply UK competition legislation in relation to domestic air services and does so with the assistance of the CAA.

Where trade between member states is affected, EC competition law applies. Decisions on these cases are for the European Commission.

UK Seafaring Skills

Mr. Allen: To ask the Secretary of State for Transport what is the proposed publication date for his Department's study to assess the shore-based demand for United Kingdom seafaring skills; and if he will make a statement. [33337]

Mr. Norris: We will publish the document shortly.

Traffic (Car Journeys)

Mr. Robert Ainsworth: To ask the Secretary of State for Transport what proportion of *(a)* all traffic and *(b)* traffic on motorways and trunk roads is represented by car journeys of under (i) two miles and (ii) five miles in length as shown in chart 1a of the document, "Transport: the Way Forward". [33303]

Mr. Watts: Data concerning journey length, as shown in the chart in 'Transport: the Way Forward', are derived from the national travel survey. This is a survey of personal travel only and does not, therefore, cover all road traffic. Neither does it identify the class of road used for personal journeys.

The national traffic census gives estimates of total traffic by vehicle type and class of road. In 1995, cars and taxis accounted for 82 per cent. of traffic on all roads and 78 per cent. of traffic on motorways and trunk roads.

Driving Tests

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the pass and fail rate for (i) the car test, (ii) the light goods vehicle test and (iii) the passenger carrying vehicle test for the financial years 1994–95 and 1995–96. [34006]

Mr. Norris: The pass rates requested are:

Percentage

Test category	*1994–95*	*1995–96*
Car	46.9	45.7
LGV	47.5	47.0
PCV	50.0	49.3

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the pass and fail rate for delegated examiners in *(a)* the private sector and *(b)* the Post Office for (i) the car test, (ii) the LGV test and (iii) the PCV test for the financial years 1994–95 and 1995–96. [34005]

Mr. Norris: The pass rates requested are:

Percentage

Test category	*1994–95*	*1995–96*
(a) Private sector		
Car	80.5	93.2
PCV	64.2	62.2

No LGV driving examiners have been appointed to private-sector companies. The car driving examiners that were appointed to private-sector companies have now retired, and there are no plans at present to appoint further ones.

Percentage

Test category	*1994–95*	*1995–96*
(b) Post office		
Car	52.7	47.5

The Post Office examiners have authority to conduct only care L–tests.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list by LGV and PCV driving test centre the pass and fail rate for the financial years 1994–95 and 1995–96. [34007]

Mr. Norris: The pass and fail rates for LGV and for PCV tests by each test centre for 1994–95 and 1995–96 are given in the attached table.

Driving test pass rates (as percentages)

	1994–95		1995–96	
Name of centre	*PCV tests*	*LGV tests*	*PCV tests*	*LGV tests*
Aberdeen LGV	63	59	67	60
Alvaston LGV	39	49	49	43
Beverley LGV	30	35	50	24
Bishopbriggs LGV	61	59	54	57
Botley LGV	56	50	59	49
Bredbury LGV	46	42	39	43
Bristol LGV	58	51	50	51
Caernarfon LGV	68	58	59	65
Camborne LGV	59	54	65	57
Cambridge LGV	56	59	50	50
Canterbury LGV	46	41	49	41
Carlisle LGV	62	60	66	59
Chelmsford LGV	39	36	46	38
Croydon LGV	44	45	45	43
Culham LGV	56	68	57	69
Darlington LGV	42	41	42	40
Elgin LGV	93	70	91	66
Enfield LGV	39	40	46	41
Exeter LGV	56	51	54	49
Featherstone LGV	37	42	38	39
Galashiels LGV	75	76	64	72
Garretts Green LGV	38	43	42	44
Gillingham LGV	44	42	37	41
Gloucester LGV	43	53	46	50
Gosforth LGV	47	47	49	43
Grimsby LGV	40	38	27	45
Guildford LGV	43	55	43	50
Harlescott LGV	63	64	58	61
Hastings LGV	48	54	60	51
Heywood LGV	46	41	38	34
Inverness LGV	53	53	57	56
Ipswich LGV	60	50	52	49
Kilmarnock LGV	48	59	58	58
Kirkham LGV	62	52	63	47
Lancing LGV	52	48	55	47
Leicester	44	45	43	46
Leighton Buzzard LGV	54	54	55	54
Livingston LGV	62	53	57	56
Llantrisant LGV	54	49	46	48
Neath LGV	52	53	54	53
Norwich LGV	50	44	51	52
Patrick Green LGV	30	33	33	31
Perth LGV	64	66	68	69
Peterborough LGV	43	50	32	43
Plymouth LGV	62	58	56	57
Pontypool LGV	59	53	57	50
Poole LGV/PCV	61	60	60	60
Purfleet LGV	47	39	38	43
Reading LGV	53	51	61	54
Rookley LGV	74	66	62	67
Sheffield LGV	45	40	57	45
Simmonswood LGV	52	47	42	42
Steeton LGV	44	43	30	37
Swynnerton LGV	52	59	57	58
Taunton LGV	53	50	49	53
Upton LGV	41	25	34	28
Walton LGV	32	40	36	36
Watnall LGV	42	37	36	37
Weedon LGV	37	43	37	43
Wrexham LGV	46	47	35	43
Yeading LGV	43	41	40	42

Driving test pass rates (as percentages)

Mrs. Dunwoody: To ask the Secretary of State for Transport for what reasons the implementation of the theory test for LCVs, PCVs and motorcycles has been deferred; and if he will make a statement. [34008]

Mr. Norris: Theory testing for learning motorcyclists is being implemented 1 July 1996 as originally planned. Implementation of the theory tests for LGVs and PCVs has been deferred until 1 January 1997, giving more time to finalise outstanding issues and put in place the necessary legislation, and allow the road haulage, passenger transport and related training industries more opportunity to prepare for the changes.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the exemptions from the theory element of the driving test, the reasons for the exemptions and at what level the decision to exempt particular categories of vehicle was taken. [34009]

Mr. Norris: The following are the arrangements which we have agreed. There will be an exemption between tests to drive different categories of vehicle where this is justified by the content of the relevant theory tests.

In view of the overlap of topics for theory test for cars and two-wheelers, a person holding a full licence for car driving will not have to take a theory test as a learner motorcyclist, or vice versa. A person holding a full moped licence obtained after 1 July will not have to take a theory test as a learner car driver or motorcycle rider.

If a person obtains a full licence to drive a medium-sized lorry, he will not have to pass a further LGV theory test as part of seeking a full licence to drive a large lorry. Similarly, if a person obtains a full licence to drive a minibus, he will not have to take a further PCV theory test as part of seeking a full licence to drive a bus or coach.

A person will not have a take a separate theory test as part of the test to drive an articulated lorry or vehicle combinations.

There will be an exemption where a further driving test has to be taken to lift a restriction to drive a vehicle within the same category. For example, a person holding a full car licence limited to automatic transmission in order to obtain in unrestricted car driving licence.

There will be no separate theory test for the minor domestic licence categories where drivers will generally also be car drivers and can therefore demonstrate their knowledge within the car driving theory test. These categories are F (tractor), G (road roller), H (tracked vehicle) and K (pedestrian controlled vehicle), L (electrically powered vehicle) and N (vehicle excise duty exempt vehicle). Categories L and N are being dropped as test categories from 1 January 1997, and, from that date, candidates for tests for categories G and H must already hold a full car licence.

A66 (Longnewton)

Mr. Devlin: To ask the Secretary of State for Transport when he intends to issue compulsory purchase orders for land at Longnewton to construct the proposed A66 grade separated junction. [34318]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Tim Devlin, dated 25 June 1996:

As you know the Secretary of State for Transport has asked me to reply to your recent Parliamentary Question asking when he intends to issue the Compulsory Purchase Orders for land at Long Newton to construct the proposed A66 grade separated junction.

As you are aware, a Public Inquiry into the draft Orders for this scheme was held in September 1995. The Inspector's report is now being considered by Ministers and a decision is expected shortly.

DoA Ltd. (Liabilities)

Mr. Mark Robinson: To ask the Secretary of State for Transport, pursuant to his answer of 21 May, *Official Report*, column *124*, whether he intends to proceed with the guarantee to Strathclyde Passenger Transport in respect of the liabilities to it of DoA Ltd. [34991]

Mr. Watts: The guarantee was entered into by my Department on 17 May, and will have effect for so long as sums are payable under the terms of the deeds of assumption.

European Passenger Services Ltd.

Mr. Mark Robinson: To ask the Secretary of State for Transport what considerations led him to enter into the guarantee, laid before the House on 20 May, covering the obligations of European Passenger Services Ltd. at Ashford International station. [34992]

Mr. Watts: When EPS was a subsidiary of the British Railways Board, BRB guaranteed to the developers of the new station at Ashford that EPS would pay rent for occupation of part of the station and a toll based on passenger numbers. After ownership of EPS passed from BRB to the Secretary of State, it made sense for the guarantee also to be transferred. The guarantee includes provision for its replacement in due course by the new owners of EPS.

Mr. Robinson: To ask the Secretary of State for Transport what considerations led him to enter into the guarantee, laid before the House on 20 May, in respect of leases of night stock by European Passenger Services Ltd. [34993]

Mr. Watts: When EPS was a subsidiary of the British Railways Board, BRB guaranteed leasing obligations for rolling stock to be used on overnight passenger services through the Channel Tunnel. After ownership of EPS passed from BRB to the Secretary of State, it made sense for the guarantee also to be transferred. The guarantee includes provision for its replacement in due course by the new owners of EPS.

British Railways Board (Contingent Liabilities)

Mr. Robinson: To ask the Secretary of State for Transport if he intends to give the British Railways Board the assurance proposed in the minute on the board's contingent liabilities laid before the House on 7 June. [34973]

Mr. Watts: Yes. The British Railways Board's annual report and accounts 1995–96 are due to be published shortly. Before British Rail's auditors can approve them on a going concern basis, they must be satisfied that adequate funds will continue to be made available to meet any financial obligations arising from the Board's present or future liabilities or liabilities arising out of past transactions, events and circumstances. The provision of funds and expenditure by the British Railways Board will be subject to the procedures and controls indicated in the minute.

Contracts

Mrs. Roche: To ask the Secretary of State for Transport if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34141]

Mr. Norris: The information is not available in the form requested and could be obtained only at disproportionate costs.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Transport what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34140]

Mr. Watts: I refer the hon. Member to the reply given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Central Railway Group

Sir John Stanley: To ask the Secretary of State for Transport, pursuant to his answer of 17 June, *Official Report*, column *342*, if statutory blight purchase notices served on Central Railway plc before the parliamentary debate to approve the company's scheme will be enforceable against the company after the debate is held and regardless of whether the House approves or rejects the motion. [33998]

Mr. Watts: A blight notice properly served in accordance with section 150 of the Town and Country Planning Act 1990 will continue to be enforceable against Central Railway plc if the House passes a resolution approving the Central Railways proposals. If the House rejects the motion, the order applied for could not be made. The land would cease to be blighted from the date the application was withdrawn or I determined to reject the application.

Ms Hodge: To ask the Secretary of State for Transport how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33578]

Mr. Norris *[holding answer 19 June 1996]:* The information is not available for the period 1991–92 except at disproportionate cost. For the calendar years 1993 to 1996, the numbers of cases are as follows:

Year	*Total*	[1]*(a)*	[2]*(b)*	[3]*(c)*	[4]*(d)*	*Withdrawn*	*Pending*
1993	6	3	1	2	0	0	0
1994	14	4	1	7	0	1	1
1995	9	5	0	0	0	2	2
1996	7	3	0	0	0	1	3

[1] *(a)* = Department's decision upheld by the court.
[2] *(b)* = Court found for the applicant.
[3] *(c)* = Department submitted to the judgement.
[4] *(d)* = Department appealed against the decision.

Ms Hodge: To ask the Secretary of State for Transport on how many occasions in each Session since 1991–92 legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33595]

Mr. Norris *[holding answer 19 June 1996]:* The information is not available for the period 1991–92 because information on judicial review cases in that period could be obtained only at disproportionate cost. No legislation has been introduced into Parliament by the Department of Transport from 1993 with the purposes mentioned in the question.

HEALTH

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health if the advice referred to from the Committee on Safety of Medicines was given under the requirement of the Medicines for Human Use (Marketing Authorisations etc) Regulations 1994. [31912]

Mr. Malone: The Committee on Safety of Medicines provides advice in accordance with its functions under the Medicines (Committee on Safety of Medicines) Order 1970 (No. 1257).

Health Services, London

Mr. Cox: To ask the Secretary of State for Health when he last met representatives of the British Medical Association to discuss health services for Greater London. [33108]

Mr. Malone: My right hon. Friend the Secretary of State regularly meets representatives of the British Medical Association to discuss a wide range of issues.

Edgware and Barnet Hospitals

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the proposed private finance initiative contract at Barnet hospital. [33618]

Mr. Horam: The first stage of the Barnet hospital redevelopment is already under way, and is being publicly funded. The proposed private finance initiative contract would be for the second stage. The trust has identified a preferred bidder, with whom it is discussing its requirements.

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the planned land use at *(a)* Edgware hospital and *(b)* Barnet hospital under the proposed PFI contract at Barnet hospital. [33619]

Mr. Horam: Major redevelopments are planned at both Barnet and Edgware hospitals. All the land at Barnet hospital will continue to be required by the national health service. Plans for the future of Edgware hospital will allow some of the land at Edgware to be released. Any proceeds from land sales will be used to benefit the NHS.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health what estimate he has made of the number of areas in England where people experience problems of gaining access to an NHS dentist. [33882]

Mr. Malone: There is no national problem of availability in national health service dentistry. There were 15,942 dentists on family health services authorities lists in December 1995, the highest December figure ever and 3,500 more than in 1979.

Health authorities are generally able to put patients who contact them in touch with dentists who will treat them. Where necessary, the health authority can make use of the community dental service or apply to my right hon. Friend the Secretary of State to appoint a salaried dentist. In April 1996, 140 salaried dentists were employed in England. In addition, health authorities will shortly be able to bid for funds from a new access fund for local schemes to improve accessibility to services.

Mr. Simon Hughes: To ask the Secretary of State for Health how many patients have contacted each family health services authority or their equivalent asking for help in finding a dentist in each of the last five years for which figures are available. [34329]

Mr. Malone: This information was collected from July 1992 to March 1996. Information will be placed in the Library showing figures for the three full years available.

Mr. Hughes: To ask the Secretary of State for Health how many dental practitioners treating NHS patients were registered in each family health services authority or their equivalent for each of the last eight years. [34330]

Mr. Malone: Information will be placed in the library setting out the number of general dental practitioners on family health service authority lists in England.

Unique Patient Numbers

Mr. Gapes: To ask the Secretary of State for Health if he will commission an inquiry into the production of duplicate numbers under the NHS unique number project; and if he will make a statement. [33988]

Mr. Horam: A study has already been carried out to establish the cause of the non-unique numbers, and to assess the best way of preventing their occurrence in future.

Organ Transplants

Mr. Allason: To ask the Secretary of State for Health what plans he has to amend paragraph 2(1)(b) of the Human Organ Transplantation (Establishment of Relationship) Regulations 1989 (SI, 1989 No. 2107) to reflect current technology. [34324]

Mr. Horam: Consideration is being given to amending the Human Organ Transplants (Establishment of Relationship) Regulations 1989 to reflect developments in medical science and technology.

Ambulance Service

Mr. Spearing: To ask the Secretary of State for Health, pursuant to his answer of 17 June, *Official Report*, column *352*, concerning performance standards of emergency ambulance services set by contracts made by the district health authorities with providers, if he will take steps to collect information on the extent to which they comply with the national Orcon standards and the patients charter. [34086]

Mr. Horam: Information is collected to check the performance of each national health service ambulance service against Orcon and patient's charter standards. This information for 1995–96 is due to be published in a statistical bulletin on 2 July, and copies will be placed in the Library.

Children's Homes

Mr. Wigley: To ask the Secretary of State for Health if he will make a statement on the responsibilities for *(a)* the registration and *(b)* the inspection of children's homes which have fewer than four children, and which take in children entirely from outside the area of the social services authority in which they are located. [34090]

Mr. Bowis: Children's homes run by voluntary organisations are required to register with my right hon. Friend the Secretary of State for Health and are inspected by the social services inspectorate irrespective of the numbers of children accommodated.

The registration and inspection of small children's homes run by private organisations that provide accommodation for fewer than four children is being considered within the current review of the inspection and regulation of social services.

Authorities placing children in those homes, as in any other homes, have a statutory duty under the Arrangements for Placement of Children (General) Regulations 1991 to ensure that the homes are suitable and that they promote and safeguard the child's welfare. The Department of Health issued guidance to local authorities about the application of these regulations in LAC(93)16, copies of which are available in the Library.

The local authority in which the home is situated has the duty to investigate, with a court order if necessary, any concerns that a child in such a home is at risk.

Mental Illness

Mr. Thurnham: To ask the Secretary of State for Health what are the financial implications of the closure of mental handicap hospitals in the north-west; and what resources are available to support those people who need residential care. [34106]

Mr. Bowis: The financial implications are in both revenue and capital requirements. The revenue budgets are identified for the hospitals and are made available for providing the support required for care within the community. Capital costs are funded from the capital resources allocated to health authorities.

Care of Children

Mr. Thurnham: To ask the Secretary of State of Health when Sir William Utting's report will be published. [34495]

Mr. Bowis: His recommendations will be made to my right hon. Friends the Secretaries of State for Health and for Wales as speedily as possible.

Child Labour

Mr. Corbyn: To ask the Secretary of State for Health what actions are being taken by his Department to ensure that children are not working in breach of the current employment law. [33203]

Mr. Bowis: Enforcement of the law in this area is a matter for local authorities.

Gynaecology

Ms Jowell: To ask the Secretary of State for Health what was the total number of gynaecological beds in hospitals in *(a)* Lambeth, Southwark and Lewisham and *(b)* England in each of the last 10 years. [34065]

Mr. Malone: Information is not collected centrally on hospital beds by clinical specialty. The available information, by broad ward classification, is contained in "Bed availability for England", copies of which are available in the Library.

Ms Jowell: To ask the Secretary of State for Health what was the total number of *(a)* gynaecological out-patient clinics at hospitals, *(b)* women seen at each clinic and *(c)* women who went on to require day surgery or treatment as an in-patient in each of the last 10 years. [34066]

Mr. Horam: Information on the number of out-patients clinics is not available centrally. Information on the number of out-patients attendances by clinical specialty is contained in "Outpatients and ward attenders for England". Information on the number of day case and ordinary admissions by clinical speciality is contained in "Ordinary and day case admissions for England". Copies of both publications are available in the Library.

Ms Jowell: To ask the Secretary of State for Health what was the average waiting time for an out-patient appointment and length of wait between initial appointment and surgery at each gynaecological clinic in England in the last 10 years. [34069]

Mr. Horam: The information is not available in the form requested.

Copies of "Waiting Times for First Out-patient appointments in England" are available in the Library. Information on the numbers waiting for in-patient admission for gynaecology is contained in "Hospital Waiting List Statistics: England", copies of which are also available in the Library.

Ms Jowell: To ask the Secretary of State for Health what was the total number of doctors and consultants specialising in obstetrics and gynaecology in England and Wales in each of the last 10 years. [34070]

Mr. Malone: The available information requested is shown in the table.

Hospital medical staff and consultants, obstetrics and gynaecology.

	All staff	*Consultants*
1985	3,330	770
1986	3,350	790
1987	3,340	790
1988	3,510	800
1989	3,630	840
1990	3,670	860
1991	3,800	860
1992	3,790	880
1993	3,820	910
1994	3,940	950

England and Wales. Figures for 30 September in each year, rounded to the nearest ten.

Ms Jowell: To ask the Secretary of State for Health how many women attended accident and emergency departments with gynaecological problems and how many were admitted to hospital with acute gynaecological problems in each of the last 10 years. [34071]

Mr. Horam: Information is not available centrally on accident and emergency attendances by clinical speciality. The available information on accident and emergency attendances is contained in "Outpatients and ward attenders for England", copies of which are available in the Library. Information is collected centrally in the hospital episode system both for operations and diagnosis using specific codes. These include a large number of codes that might be described as "gynaecological". The available information is contained in "Hospital episodes statistics (Volume 1)", copies of which are available in the Library.

Waiting Lists (Women)

Ms Jowell: To ask the Secretary of State for Health how many women are currently waiting to be admitted to any waiting list for treatment as an in-patient or day case. [34068]

Mr. Horam: Waiting list information which is held centrally does not differentiate between genders.

NHS Pension Scheme

Mr. Pickthall: To ask the Secretary of State for Health, pursuant to his answer of 4 June, *Official Report*, column *384*, if he will set out the complex issues delaying the entry of general practitioner practice staff into the NHS pension scheme. [34265]

Mr. Malone: Before the scheme could be extended to general practitioner practice staff, we need to consider the potential effect in actuarial terms of the increase in the scheme's overall liabilities; the appropriate scope of the scheme if made available to the employees of independent contractors rather than national health service staff; the appropriate employer's contribution rate for a new category of staff not employed by the NHS; as well as resourcing and streams of funding.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Health what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34124]

Mr. Horam: I refer the hon. Member to the reply my right hon. Friend the Chancellor of the Duchy of Lancaster gave her today.

Contracts

Mrs. Roche: To ask the Secretary of State for Health if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34125]

Mr. Horam: This information could be provided only at disproportionate cost.

Stevens-Johnson Syndrome

Mr. Flynn: To ask the Secretary of State for Health how many instances of Stevens-Johnson syndrome and/or toxic epidermal necrolysis have occurred in each of the last five years; and in respect of how many of these cases *(a)* paracetamol or codeine and *(b)* other drugs were assessed to be the cause. [33892]

Mr. Malone *[holding answer 24 June 1996]:* The information available centrally is shown in the table.

The estimated numbers of finished consultant episodes—ordinary admissions and day cases combined—in national health service hospitals in England with a principal diagnosis of erythema multiforme—which includes Stevens-Johnson syndrome and toxic epidermal necrolysis—in each of the five years is as follows:

1990–91: 821

1991–92: 823

1992–93: 843

1993–94: 859

1994–95: 1,148.

Source:
Hospitals Episode Statistics

An individual patient may be included more than once in the figures. The number of cases from these episodes which were assessed as being due to drugs is unknown. Various non-drug causes for erythema multiforme are well recognised.

The Medicines Control Agency holds the following information relating to suspected adverse drug reactions reported through the voluntary yellow card scheme. These data have been mapped to two relevant preferred terms; erythema multiforme (EM)—which includes Stevens-Johnson syndrome—and epidermal necrolysis (EN). The numbers of reported cases for each of the last five years are shown.

Suspected adverse reaction reports of erythema multiforme (EM) and epidermal necrolysis (EN) to the Committee on Safety of Medicines 1991 to 1995

Year	All reports where paracetamol and/or codeine were a suspect drug		All reports involving drugs other than paracetamol and/or codeine	
	EM	EN	EM	EN
1991	2	0	112	13
1992	4	0	145	19
1993	0	0	139	28
1994	0	0	138	18
1995	1	0	174	20
Totals	7	0	708	98

Some of the reports associated with paracetamol and/or codeine concerned products containing multiple active ingredients. The figures provided are for the number of suspected adverse drug reactions where the reaction began in the year specified. A report of a suspected adverse drug reaction does not necessarily mean that it was caused by the drug cited; other factors may have contributed.

There are fewer cases of erythema multiforme reported to be associated with medicines than the number of cases from hospital statistics. Several factors account for this difference—one patient may account for more than one consultant episode, not all cases of erythema multiforme are drug-induced and not all adverse drug reactions are reported through the yellow card scheme. Therefore, direct comparisons between these two data sources cannot be made.

NORTHERN IRELAND

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Northern Ireland what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33506]

Sir John Wheeler: Within the Northern Ireland Office and Northern Ireland Departments the information is not available in the format requested. However the following information is available.

Year	Compensation paid (£000s)
1991–92[1]	4,959
1992–93	5,654
1993–94	6,483
1994–95	6,641
1995–96	4,742

[1] Excludes DOE employees liability claims.

In the same five years, 538 payments of over £5,000 were paid and one case in 1993–94 related to information technology.

The information on sick pay could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for Northern Ireland how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33505]

Sir John Wheeler: Within the Northern Ireland Office and the Northern Ireland Departments, the information is not fully available in the format requested and to obtain this information would incur disproportionate cost. However all the available information follows.

The figures relating to the Department of Finance and Personnel, of Environment, of Health and Social Services and to the Northern Ireland Prison Service are:

Year	Number of injuries	Fatalities	I.T. related injuries
1991–92[1]	854	—	—
1992–93[1]	878	—	—
1993–94	911	—	1
1994–95	696	—	—
1995–96	739	1	1

[1] Excludes DHSS. The fatality was a result of a hit and run accident during a road inspection.

Those relating to the Departments of Economic Development, of Agriculture and of Education and the remainder of the Northern Ireland Office are:

Year	Number of injuries	Fatalities	I.T. related injuries
1991[1]	300	1	—
1992	291	—	—
1993	299	—	—
1994	240	—	—
1995	200	—	—

[1] Excludes the Northern Ireland Office. The fatality was a result of a tree felling incident.

School Staff

Mr. Worthington: To ask the Secretary of State for Northern Ireland in what circumstances schools with similar enrolments may be unable to employ similar numbers of teaching staff under current financial arrangements; and what proposals he has to deal with this issue. [33875]

Mr. Ancram: It is for the board of governors of each school with a delegated budget, irrespective of the size of the school's enrolment, to decide on the number of teaching staff it employs in order to ensure the effective delivery of the curriculum to its pupils. I do not propose to change this situation.

Education and Library Boards

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will list the number of teacher and lecturer redundancies made by education and library boards during each year since 1990 at *(a)* primary, *(b)* secondary and *(c)* further education level. [33874]

Mr. Ancram: The information requested is not readily available and could be obtained only at disproportionate cost.

School Funding

Mr. Worthington: To ask the Secretary of State for Northern Ireland what amount in *(a)* cash and *(b)* constant price terms excluding funding for special projects was spent per primary and secondary pupil in Northern Ireland in each financial year since 1989. [33876]

Mr. Ancram: I refer the hon. Member to the reply I gave him on 21 June, *Official Report*, column *662*.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Northern Ireland what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34132]

Mr. Ancram: I refer the hon. Member to the answer given to her by my right hon. Friend the Chancellor of the Duchy of Lancaster earlier today.

Contracts

Mrs. Roche: To ask the Secretary of State for Northern Ireland if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £5000,00 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34133]

Sir John Wheeler: The information requested is not held centrally and could be produced only at disproportionate cost.

Prevention of Terrorism (Codes of Practice)

Mr. Thomason: To ask the Secretary of State for Northern Ireland when he intends to publish revised codes of practice for the detention, questioning and identification of those detained under the Prevention of Terrorism (Temporary Provision) Act 1989. [34937]

Sir Patrick Mayhew: I have today laid before Parliament the draft codes of practice for the detention, treatment, questioning and identification of terrorist suspects in Northern Ireland, as I am required to do by section 61(3) of the Northern Ireland (Emergency Provisions) Act 1991. The codes have been amended to take into account comments received during the consultation exercise undertaken last year. I intend to make an order which will bring the codes into operation from midnight on 28 July 1996.

WALES

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Wales if he will list those constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [32334]

Mr. Hague: In the past three months I have visited the following constituencies while on official business:

Aberavon
Alyn and Deeside
Brecon and Radnor
Bridgend
Cardiff, Central
Cardiff, North
Cardiff, South and Penarth
Cardiff, West
Carmarthen
Ceredigion and Pembroke, North
Clwyd, North-West
Clwyd, South-West
Conwy
Delyn
Montgomery
Neath
Newport, East
Newport, West
Pembroke
Pontypridd
Rhondda
Torfaen
Vale of Glamorgan
Wrexham
Ynys Môn

My plans for the next three months have not been finalised.

Wind Farms

Mr. Barry Jones: To ask the Secretary of State for Wales what is his estimate of the capital investment in the existing wind farms in Wales. [32889]

Mr. Gwilym Jones: The estimated capital outlay for existing wind farms in Wales is around £60,000,000. This is based on an average cost of £800 per kilowatt installed capacity.

Infant and Perinatal Mortality Rates

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on trends in infant mortality and perinatal mortality rates; and if he will make a statement. [33167]

Mr. Gwilym Jones: Infant and perinatal mortality rates for years from 1970 to 1995, provided by the Office for National Statistics, are shown in the following table:

	Infant mortality rate (per 1,000 live births)	*Perinatal mortality rate (per 1,000 total births)*
1970	18.7	25.5
1975	14.5	19.7
1980	11.4	12.8
1985	9.8	10.2
1990	6.9	7.4
1991	6.6	7.9
1992	6.0	7.0
1993	5.6	[1]7.1(*B) [2]8.4(*B)
1994	6.3	9.3
1995 provisional	5.8	7.9

[1] Old definition.
[2] New definition.

The legal definition of a still birth was altered on 1 October 1992 to include babies born dead between 24 and 27 completed weeks' gestation. Perinatal mortality rates up to 1993 are shown in the table on the old definition—28 or more weeks' completed gestation—and from 1993 on the new definition—24 or more weeks' completed gestation.

Smoking-related Illness

Mr. Barry Jones: To ask the Secretary of State for Wales how many people died from smoking-related illness in 1993 and 1995; and if he will make a statement. [33166]

Mr. Gwilym Jones: The information requested is as follows.

The specific category of smoking-related illness is not defined explicitly. Three diseases commonly caused by smoking are: lung cancer, coronary heart disease, and chronic obstructive pulmonary disease.

The total number of deaths in Wales from lung cancer was 2,017 in 1993 and 1,852 in 1995. It is likely that smoking would have been a major factor in between 90 and 95 per cent. of these deaths.

The total number of deaths in Wales from coronary heart disease was 9,676 in 1993 and 8,647 in 1995; and from chronic obstructive pulmonary disease was 1,802 in 1993 and 1,961 in 1995. It is likely that smoking would have been a major factor in a significant proportion of these deaths.

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales if he will make it his policy that responsibility for inward investment to Wales will not be transferred from Welsh Development Agency; and if he will make a statement. [33741]

Mr. Hague: Yes. I have no plans for a further statement.

Industrial Assistance (Gwynedd)

Mr. Wigley: To ask the Secretary of State for Wales how much expenditure was incurred in the county of Gwynedd during the financial year 1995–96 under the Industry Acts; how many new jobs have been facilitated by such expenditure; and if she will break down the expenditure by type of scheme. [34002]

Mr. Hague: Comprehensive information is not readily available. However, under the four main schemes—regional selective assistance, regional enterprise grants, small firms merit award for research and technology, and support for projects under research, the information is as follows:

Scheme	*Value of offers accepted (£)*
Regional Selective Assistance (RSA)	506,000
Regional Enterprise Grants (REG)	65,930
Small Firms Merit Award for Research and Technology (SMART)	301,581
Support for Projects Under Research (SPUR)	—
Total	873,481

Of these, only RSA is directly job-related and 142 jobs were forecast to be created or safeguarded by the relevant projects.

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his answer of 2 February, *Official Report*, columns *978–79*, if he will analyse the financial assistance which came to the county of Gwynedd during the financial year 1994–95 according to *(a)* regional selective assistance, *(b)* regional enterprise grants, *(c)* small firms merit award for research and technology and *(d)* support for products under research. [34032]

Mr. Hague: The information is as follows:

Scheme	*Value of offers accepted (£)*
Regional Selective Assistance (RSA)	4,173,500
Regional Enterprise Grants (REG)	110,948
Small Firms Merit Awards for Research and Technology (SMART)	153,577
Support for Projects Under Research (SPUR)	—
Total	4,438,025

Higher Education Expenditure

Mr. Dafis: To ask the Secretary of State for Wales what has been the public expenditure on higher education in Wales, including public expenditure on student maintenance, both in cash terms and in real terms, and expressed as a percentage of *(a)* estimated Welsh GDP and *(b)* estimated United Kingdom GDP for each financial year since 1989–90; and what is planned for (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [33811]

Mr. Jonathan Evans: Information is not available for the years before 1993–94. Welsh gross domestic product is calculated only for calendar years. The figure for 1993 and 1994 at current prices and factor cost are estimated at £22,264 million and £23,808 million respectively.

Information for the years after is set out as follows:

£ million

	1993–94	1994–95	1995–96	1996–97	1997–98	1998–99
Total HE public funding including student maintenance (cash terms) [1,2]	367.263	408.444	415.328	422.934	424.119	423.299
Real terms 1994–95 prices	374.014	408.444	404.212	400.598	391.923	382.557
As a percentage of UK gross domestic product [3]	0.06	0.06	0.06	0.06	0.05	0.05
Total HE public funding excluding student maintenance (cash terms) [1]	282.563	313.744	311.328	314.934	313.119	311.299
Real terms 1994–95 prices	287.762	313.744	302.996	298.302	289.349	281.337
As a percentage of UK gross domestic product [3]	0.04	0.05	0.04	0.04	0.04	0.04

[1] Includes tuition fee income and adjustments relating to dual support for research.
[2] Includes student maintenance awards for Welsh domiciled student studying in the UK and the gross value of student loans for HE students in Wales.
[3] At market prices.

Energy Conservation

Mr. Dafis: To ask the Secretary of State for Wales if local authorities in Wales will be eligible during 1996–97 for grants under the Home Energy Conservation Bill action scheme. [33449]

Mr. Gwilym Jones: All local authorities in Wales are in principle eligible for grant aid under the Home Energy Conservation Bill action programme but applications linked to reports under the Bill must be submitted by September 1996. Welsh councils are not required to produce the report until November 1997.

Education and Training Funding (EU)

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the applications made by organisations or individuals for funding for education and training purposes from the European Union in each of the last three years which *(a)* were submitted through the Welsh Office and *(b)* of which the Welsh Office received notification. [33393]

Mr. Jonathan Evans: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Wales what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34144]

Mr. Hague: I refer the hon. Member to the answer given today by the Chancellor of the Duchy of Lancaster.

Contracts

Mrs. Roche: To ask the Secretary of State for Wales if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34145]

Mr. Hague: The information is not available in the form requested, and could be provided only at disproportionate cost.

Asthma

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) what was the net ingredient cost for preparations used in the treatment of asthma, in total and per health authority, for each of the last four years; and if he will make a statement; [34444]

(2) what was the number of prescriptions for the treatment of asthma, in total and per health authority, for each of the last four years. [34445]

Mr. Hague: Information on the number of prescription items and their net ingredient cost dispensed specifically for asthma could be obtained only at disproportionate cost. However, most prescription items dispensed for the treatment of asthma fall into one of three therapeutic classes—bronchodilators, corticosteroids and cromoglycate and related therapy—and figures for these are given in the following table. It should be noted, however, that some items dispensed in those classes were not for the treatment of asthma.

Family Health Service Authority	Prescription items dispensed (thousands)				Net Ingredient Cost (£ thousands)			
	1992–93 [1]	1993–94	1994–95	1995–96	1992–93 [1]	1993–94	1994–95	1995–96
Clwyd	281.1	306.2	318.3	327.5	2,854.4	3,395.1	3,823.8	4,247.0
Dyfed	259.3	271.8	288.7	297.3	2,957.2	3,374.8	3,783.6	4,097.5
Gwent	328.3	356.8	375.3	387.6	3,150.5	3,692.8	4,096.4	4,447.6
Gwynedd	176.7	190.8	198.0	205.8	1,763.7	2,114.1	2,372.3	2,635.9
Mid Glamorgan	497.3	532.8	562.5	582.8	4,832.7	5,582.1	6,415.9	7,108.8
Powys	81.3	87.9	91.3	95.0	863.1	981.9	1,067.8	1,177.6
South Glamorgan	297.0	320.9	337.0	347.5	3,215.2	3,659.7	4,006.5	4,336.6
West Glamorgan	278.1	305.2	319.8	331.3	3,132.6	3,671.1	3,984.5	4,291.8
Wales	2,200.2	2,372.3	2,490.9	2,574.9	22,770.1	26,471.6	29,550.7	32,342.8

[1] The figure for Wales includes items and net ingredient cost where the Family Health Service authority was unidentified.

EDUCATION AND EMPLOYMENT

Teaching Methods

18. **Mr. Patrick Thompson:** To ask the Secretary of State for Education and Employment if she will make a statement on the teaching skills and methods employed in schools. [33215]

Mr. Paice: All teachers need to be equipped with a range of effective teaching methods, and to know when to use them. My right hon. Friend will publish details in September of her plans to ensure all training courses cover teaching methods of proven worth and give priority to primary literacy and numeracy.

Local Education Authorities

19. **Mr. Day:** To ask the Secretary of State for Education and Employment if she will list the 10 worst performing local education authorities on the basis of national examination results. [33216]

Mr. Paice: I refer my hon. Friend to the reply I gave earlier to my hon. Friend the Member for Arundel (Sir M. Marshall).

Teacher Training

20. **Sir Geoffrey Johnson Smith:** To ask the Secretary of State for Education and Employment what are her priorities for improving teacher training. [33217]

Mr. Robin Squire: The Government have been seeking to enhance teacher training over many years. Our current priority is to ensure that all primary schools provide effective teaching in literacy and numeracy. Our plans to develop a new curriculum for initial training—beginning with English and mathematics—will ensure that teachers know how and when to use a range of effective teaching methods.

31. **Mrs. Peacock:** To ask the Secretary of State for Education and Employment what measures she is taking to improve teacher training. [33229]

33. **Mrs. Gorman:** To ask the Secretary of State for Education and Employment if she will make a statement on her plans to reform teacher training. [33231]

Mr. Squire: Earlier this month, my right hon. Friend announced her intention to build on earlier reforms by setting tighter rules for initial teacher training. This will ensure that all teachers are equipped with the most effective teaching skills and know when to use them. The first step will be to set out the essential content of training in English and mathematics.

Over time, we shall construct a full professional framework for teachers, covering the content of both initial and in-service training, together with teaching qualifications. This will ensure that all teachers have professional goals for which to aim.

Pupils (Rochdale)

21. **Ms Lynne:** To ask the Secretary of State for Education and Employment what is the current number of 16 to 18-year-olds in full-time education within the Metropolitan borough of Rochdale. [33218]

Mr. Paice: The numbers aged 16 to 18 in full-time education in Rochdale were 2,499 in 1994–95.

Youth Unemployment

22. **Mr. Skinner:** To ask the Secretary of State for Education and Employment if she will make a statement on measures for reducing youth unemployment. [33219]

Mr. Paice: We will continue with the policies that have reduced unemployment among young people and given the UK an unemployment rate for this age group well below the European Union average.

Schools (Redesignation)

23. **Mr. Martlew:** To ask the Secretary of State for Education and Employment what plans she has to redesignate those schools not classified as grammar schools. [33220]

Mrs. Gillan: My right hon. Friend has no such plans.

High School Places

24. **Mr. Pike:** To ask the Secretary of State for Education and Employment what representations she has received from parents concerning allocation of high school places in relation to the parents charter. [33221]

Mrs. Gillan: I refer the hon. Member to the reply I gave him on Wednesday 24 April, *Official Report*, column *419*.

Nursery Voucher Scheme

25. **Mr. Hall:** To ask the Secretary of State for Education and Employment how much has been spent on publicity on phase 1 of the nursery voucher scheme. [33222]

Mr. Robin Squire: To date, some £1.2 million has been spent on providing information to parents and providers nationwide, much of this in the phase 2 areas. It is not possible to break down expenditure between the phase one areas or between phase 1 areas and the rest of the country.

Higher Education Funding

26. **Mr. Alan Howarth:** To ask the Secretary of State for Education and Employment what recent representations she has received regarding the planned funding of higher education in the period 1996–97 to 1998–99. [33223]

Mr. Forth: My right hon. Friend has received a substantial number of representations in recent months about the planned funding of higher education over the next three years.

Schools (Selection)

27. **Mr. Harry Greenway:** To ask the Secretary of State for Education and Employment if she will make a statement on her plans to extend selection in education. [33225]

Mrs. Gillan: My right hon. Friend's proposals for extending selection in education were published yesterday in the White Paper "Self-Government for Schools".

Schools (Streaming)

28. **Dr. Twinn:** To ask the Secretary of State for Education and Employment when she last met with representatives of the Office for Standards in Education to discuss streaming and setting in schools. [33226]

Mr. Robin Squire: The Secretary of State frequently discusses educational issues with Her Majesty's chief inspector. Officials from Ofsted and the Department also hold regular discussion meetings.

Youth Training

29. **Mrs. Jane Kennedy:** To ask the Secretary of State for Education and Employment what proposals she has to extend training opportunities for unemployed 18 to 25-year-olds. [33227]

Mr. Paice: The Department will continue to offer and support a wide range of opportunities for unemployed 18 to 25-year-olds, including specialist provision for those requiring basic skills training.

Surplus School Places

30. **Mr. Hunter:** To ask the Secretary of State for Education and Employment if she will take further measures to ensure that local education authorities take prompt action to remove school places which are surplus to requirement. [33228]

Mrs. Gillan: We look to local education authorities to take action to remove surplus places in the first instance. My right hon. Friend has powers under the Education Act 1993 to direct an authority to bring forward rationalisation proposals where numbers of surplus places appear excessive.

Youth Education Vouchers

32. **Ms Coffey:** To ask the Secretary of State for Education and Employment what representations she has received regarding the introduction of vouchers for 16 to 19-year-olds in education and training. [33230]

Mr. Paice: None. The Government have no plans to introduce vouchers for 16 to 19-year-olds in education and training. We have announced our intention to consult on the introduction from 1997 of a system of learning credits. These will set out for all 16 to 19-year-olds their entitlement to the education and training they choose.

Nursery Education

34. **Mr. Campbell-Savours:** To ask the Secretary of State for Education and Employment what statistics her Department collects in respect of the provision of nursery education nationally. [33232]

Mr. Robin Squire: The Department collects information on pupils under five being taught in maintained nursery schools; nursery classes in maintained primary schools; other classes in maintained primary schools, including reception classes; special schools; and independent schools.

Ministerial Visits

35. **Mrs. Mahon:** To ask the Secretary of State for Education and Employment when she next plans to visit West Yorkshire to discuss employment prospects for young people. [33233]

Mr. Forth: My right hon. Friend has no plans to visit West Yorkshire in the near future. However, my hon. Friend the Member for South-East, Cambridgeshire (Mr. Paice) plans to visit Leeds on 11 July and will be discussing employment and training options for young people with Leeds training and enterprise council.

School Inspections

36. **Mr. Sweeney:** To ask the Secretary of State for Education and Employment what steps she is taking to expand the role of the Office for Standards in Education with regard to school inspections. [33234]

Mr. Robin Squire: Ofsted is responsible for the regular inspection of all maintained schools. In addition, my right hon. Friend the Secretary of State has announced that she plans to introduce legislation in the autumn to give Ofsted powers to inspect LEA monitoring and support services for schools.

Assisted Places

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list *(a)* the schools which will be offering assisted places from September 1996, *(b)* the number of places which have been taken up and *(c)* the average spending per place in each Department of Environment region. [34492]

Mrs. Gillan: A list of the 355 schools in England which will be offering assisted places from September 1996 has been placed in the Library. Information on take-up and average cost of places for the academic year 1996–97 is not yet available. Preliminary indications are that take-up of places will remain high.

Examination Results

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list the maintained secondary schools and their respective local education authorities in which the number of pupils who gained five GCSEs was 10 per cent. or less in each year since 1990; if she will list the totals in each case and as a percentage of secondary schools in the maintained sector; how many of these schools have been designated failing schools through Ofsted inspection; and if she will make a statement. [34493]

Mr. Robin Squire: There are no maintained secondary schools, apart from special maintained schools, in which the number of pupils who gained five GCSEs was 10 per cent. or less in each year since 1992.

Compliance Cost Assessment

Mrs. Roche: To ask the Secretary of State for Education and Employment what proposals she has to ensure that each legislative measure put forward by her Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34154]

Mr. Paice: I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Contracts

Mrs. Roche: To ask the Secretary of State for Education and Employment if she will list *(a)* the average value of contracts awarded by her Department *(b)* the value of (i) the smallest and (ii) the largest contract awarded (c) the number of contracts with a value of (1) £0–£999, (2) £1,000–£9,999, (3) £10,000–£49,999, (4) £50,000–£99,999, (5) £100,000–£499,999, (6) £500,000–£999,999 and (7) above £1,000,000 and (d) the total number of contracts awarded in 1995–96. [34155]

Mr. Robin Squire: The information requested is not available without incurring disproportionate cost.

Training and Enterprise Councils

Mrs. Roche: To ask the Secretary of State for Education and Employment what percentage of the budget of each TEC in England and Wales last year *(a)* was spent and *(b)* could be used to support management training for small firms. [34121]

Mr. Paice: Of the main training and enterprise council budgets administered by the Department, those for employer investment in people—EIP—and skills for small businesses—SSB—may be used to support management training for small firms.

Table 1 shows the percentage of each TEC's expenditure on DFEE programmes in 1995–96 which was used for EIP and SSB. Information is not available on how much was spent within these budgets on management training.

In addition, TECs have had the opportunity to put forward proposals for funding under the Department for Trade and Industry's skills challenge—a fund for small businesses and business enterprise support budget.

Funding for TECs in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Table 1: Percentage of TEC spend on employer investment in people (EIP) and skills for small businesses (SSB)

TEC spend 1995–96	*EIP SSB percentage*
South East	
Hampshire	4.53
Heart of England	4.66
Isle of Wight	11.79
Kent	2.78
Milton Keynes and North Buckinghamshire	5.18
Surrey	9.39
Sussex	6.45
Thames Valley enterprise	4.71
London	
Aztec	7.68
Centec'	11.72
Cilntec	9.40
London East	5.75
North London	9.59
Northwest London	6.15
Solotec'	4.79
South Thames	3.90
West London	6.95

Table 1: Percentage of TEC spend on employer investment in people (EIP) and skills for small businesses (SSB)

TEC spend 1995–96	*EIP SSB percentage*
Eastern	
Bedfordshire	5.39
Cambstec	10.64
Essex	3.01
Greater Peterborough	6.66
Hertfordshire	5.43
Norfolk and Waveney	5.47
Suffolk	6.05
South West	
Devon and Cornwall	4.04
Dorset	7.17
Gloucestershire	3.95
Somerset	7.38
Westec	4.17
Wiltshire	2.33
West Midlands	
Birmingham	5.05
Central England	8.97
Coventry and Warwickshire	5.04
Dudley	4.94
Hawtec	5.32
Sandwell	4.18
Shropshire	4.71
Staffordshire	4.90
Walsall	5.65
Wolverhampton	4.14
East Midlands	
Greater Nottingham	5.94
Leicester	5.81
Lincolnshire	3.75
North Derbyshire	6.08
North Nottinghamshire	4.57
Northamptonshire	7.60
Southern Derbyshire	6.52
Yorkshire and Humberside	
Barnsley and Doncaster	2.45
Bradford and District	4.09
Calderdale and Kirklees	3.05
Humberside	4.50
Leeds	4.50
North Yorkshire	4.96
Rotherham	6.09
Sheffield	4.75
Wakefield	4.14
Merseyside	
Cewtec	4.92
Merseyside	4.04
Qualitec	2.17
North West	
Bolton and Bury	5.02
Cumbria	3.35
Eltec (East Lancs)	5.62
Lawtec (Lancs West)	6.41
Manchester	6.03
Metrotec Ltd. (Wigan)	4.99
Normidec	3.99
Oldham	3.83
Rochdale	4.26
South and East Cheshire	7.28
Stockport/High Peak	6.65
North East	
County Durham	3.44
Northumberland	4.94

Table 1: Percentage of TEC spend on employer investment in people (EIP) and skills for small businesses (SSB)

TEC spend 1995–96	*EIP SSB percentage*
Sunderland City	2.35
Teesside	3.17
Tyneside	4.95

[1] include payments made to these TECs who took over responsibility for programmes previously run by South Thames TEC.

Home-school Contracts

Mr. Blunkett: To ask the Secretary of State for Education and Employment if the views she expressed on 18 June in her meeting with the Campaign for State Education, on the undesirability of home-school contracts, represents Government policy; and if she will state her policy in respect of home-school contracts. [34497]

Mr. Robin Squire: My right hon. Friend has made very clear her belief that home-school contracts can be extremely effective in strengthening partnerships between schools and parents. My noble Friend the Minister of State emphasised this point when he met the Campaign for State Education on 18 June.

DEFENCE

Contracts

Mrs. Roche: To ask the Secretary of State for Defence if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34143]

Mr. Arbuthnot: Although information for MOD headquarters contracts is held on a central database, those records do not include details of low-value "local purchase" contracts placed by a number of outstations or contracts placed by the defence agencies. That information could be obtained only at disproportionate cost. However, the details for the categories in the question for MOD HQ contracts are as follows:

(a) £214,390

(b) (i) £1

(ii) approximately £2,000 million (to provide a more precise figure may infringe commercial confidentiality)

(c) (1) £9,295

(2) £15,181

(3) £7,227

(4) £1,731

(5) £2,237

(6) £522

(7) £665

(d) £36,858.

Nuclear Weapons

Mr. Llew Smith: To ask the Secretary of State for Defence what requests the United States Government have made in respect of the transfer of nuclear weapons information obtained from the United Kingdom to France under the US-France nuclear co-operation agreement signed on 4 June. [34100]

Mr. Arbuthnot: No requests have been made by the United States.

Bosnia

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 26 January, *Official Report*, columns 468–69, on charges for British bases, if his Department has now received figures for the renting of sites in *(a)* Lipa, *(b)* Sipovo, *(c)* Bugojno, *(d)* Sanski Most, *(e)* Mrkonjic Grad, *(f)* Banja Luka and *(g)* Vitez where rental prices were previously unavailable. [34049]

Mr. Soames *[holding answer 21 June 1996]:* The latest information on the sites in question is as follows:

Lipa

No lease has been negotiated for the site at this location. Therefore no costs have been incurred.

Sipovo

Three factories, a sawmill and a hotel are occupied. As yet no owners have been identified, so no costs have been incurred.

Bugojno

The factory site is due to be vacated at the end of this month. An owner has now been identified and discussion is under way about retrospective rental payments.

Sanski Most

Two sites are occupied. The costs of one, £8,000 per month, were given in my answer of 21 May, *Official Report*, column 108. The cost of the second site has yet to be established.

Mrkonjic Grad

Two factories, a sawmill and dam are occupied. The owner of one factory has been identified and rental negotiations are under way. Other site owners remain to be identified.

Banja Luka

A factory site and two officers are occupied. The cost of the factory, £38,000 per month, was given in my answer of 21 May. The lease of the other two sites has been agreed at a cost of £17,650 per month.

Vitez

Negotiations for the use of the school building in Vitez are continuing, but this is state-owned and we aim to secure its use at no cost to the Department. There are a significant number of minor sites around the school which are occupied by British forces. Taken together, their rental amounts to some £11,100 per month. (Not all the costs of these sites were available for inclusion in my reply of 21 May). Costs to the BFI site were given in my answer of 26 January.

Where no lease exists at present, my Department will aim to negotiate one when the owners of the site are identified and proof of ownership is established.

SCOTLAND

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Scotland what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33510]

Lord James Douglas-Hamilton: The information requested could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for Scotland what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33511]

Lord James Douglas-Hamilton: Until this year, large parts of the Scottish Office estate were looked after by Property Holdings. Its maintenance costs did not separately identify the costs of meeting health and safety standards. I am sorry that I cannot therefore supply the information requested.

Higher Education

Mrs. Liddell: To ask the Secretary of State for Scotland (1) what was public expenditure in higher education in Scotland excluding public expenditure on student maintenance in *(a)* cash terms, *(b)* real terms and *(c)* expressed as a percentage of United Kingdom gross domestic product for the financial years 1989–90 to 1995–96; and what is planned for 1996–97, 1997–98, and 1998–99; [34249]

(2) what was public expenditure in higher education in Scotland including public expenditure on student maintenance *(a)* in cash terms, *(b)* in real terms and *(c)* expressed as a percentage of United Kingdom gross domestic product for the financial years 1989–90 to 1995–96; and what is planned for 1996–97, 1997–98, and 1998–99. [34248]

Mr. Raymond S. Robertson: The information requested on expenditure in higher education in Scotland, both including and excluding expenditure on student maintenance, is as follows:

£ million

	1989–90	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*[5]	*1996–97*	*1997–98*	*1998–99*
Expenditure excluding student maintenance[1]										
Cash	183	228	296	345	632	669	674	663	657	651
Real terms (1994–95)[2]	229	264	323	361	644	669	656	628	607	588
GDP (Cash)	0.04 per cent.	0.05 per cent.	0.06 per cent.	0.06 per cent.	0.10 per cent.	0.10 per cent.	0.09 per cent.	0.08 per cent.	0.08 per cent.	0.07 per cent.
GDP (Real terms 1994–95)[2]	0.04 per cent.	0.04 per cent.	0.05 per cent.	0.06 per cent.	0.10 per cent.	0.10 per cent.	0.09 per cent.	0.09 per cent.	0.08 per cent.	0.08 per cent.
Expenditure including student maintenance[3]										
Cash	263	324	428	505	831	897	921	946	937	919
Real terms (1994–95)[2]	329	405	536	632	846	897	896	921	912	894
GDP (Cash)	0.05 per cent.	0.06 per cent.	0.07 per cent.	0.08 per cent.	0.13 per cent.	0.13 per cent.	0.13 per cent.	0.13 per cent.	0.12 per cent.	0.11 per cent.
GDP (Real terms 1994–95)[2]	0.05 per cent.	0.06 per cent.	0.08 per cent.	0.10 per cent.	0.13 per cent.	0.13 per cent.	0.13 per cent.	0.13 per cent.	0.12 per cent.	0.12 per cent.
GDP Cash (£ million)[4]	516,994	556,781	580,518	605,156	639,681	676,179	712,000	754,000	795,000	836,000
GDP Real terms (1994–95 prices)[4]	646,968	645,046	633,031	634,096	651,437	676,179	692,944	714,180	734,649	755,536

[1] The figures provided relate to grants to SOEID-funded institutions prior to 1993 and to SHEFC after 1993.
[2] Description of real terms is based on 1994-95 prices.
[3] The figures provided relate to grants to SOEID-funded institutions prior to 1993 and to SHEFC after 1993, and to student awards, loans, access fund and tuition fees paid by the Student Award Agency for Scotland but not including SAAS DRCs.
[4] GDP figures are take from the Treasury 'GDP and GDP Deflators at Market prices' table dated 9 April 1996.
[5] Figures for 1995-96 are provisional.
Source:
1989-90 'Serving Scotland's Needs' March 1995, CMD 2814.
1990-91 to 1998-99 'Serving Scotland's Needs' March 1996, CMD 3214.

Figures for 1992–93 and later years are not directly comparable because funding for teaching and research at the eight universities in Scotland previously funded by the Universities Funding Council was the responsibility until 31 March 1993 of my right hon. Friend the Secretary of State for Education.

Human Ecology Department (Edinburgh University)

Mr. Dalyell: To ask the Secretary of State for Scotland what representations he has received relating to the closure of the department of human ecology at the university of Edinburgh. [33224]

Mr. Raymond S. Robertson: None.

Inverclyde Enterprise Zone

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer, of 7 June, *Official Report*, column 592, if he will name the four companies and the number of persons employed by each in the Inverclyde enterprise zone. [33812]

Mr. Kynoch: The four companies which operate from sites within the Inverclyde enterprise zone and which have been attracted to those sites by Locate in Scotland are:

Chicony Electronic (UK) Ltd.

Cigna Services UK Ltd.

KARE Ltd.

Minebea Electronics UK Ltd.

Information on the number of persons currently employed by these companies is not held centrally.

Contracts

Mrs. Roche: To ask the Secretary of State for Scotland if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34135]

Lord James Douglas-Hamilton: The information requested is not recorded centrally within the Department and could be obtained only at disproportionate cost.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Scotland what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34134]

Mr. Kynoch: I refer the hon. Member to the answer given today by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Princess Victoria (Memorial)

Mr. Beggs: To ask the Secretary of State for Scotland if he will take steps to ensure the rebuilding of the memorial in Stranraer to the 133 persons who lost their lives on 31 January 1953 in the Princess Victoria disaster. [34353]

Mr. Kynoch: This is a matter for Dumfries and Galloway council in view of its statutory responsibility under section 96 of the Civic Government (Scotland) Act 1982 for statutes and monuments in public places.

AGRICULTURE, FISHERIES AND FOOD

Quarantine

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food what evidence his Department has evaluated in support of the policy of quarantine over vaccination with respect to the importation of pets from European Union member states; and if he will make a statement. [33918]

Mrs. Browning: The current policy on quarantine stems from a committee of inquiry—the Waterhouse committee—which was set up in 1970 to review the policy after the outbreaks of 1969 and 1970. This was carefully reviewed in the light of the recommendations in the Agriculture Select Committee report on health controls on the importation of live animals, published on 23 November 1994. Officials are also continually updated on the rabies situation in the European Union through the quarterly reports of the World Health Organisation collaborating centre for rabies surveillance and research and its frequent contacts with a number of other interested bodies, such as the Organisation International de Epizoöties and the European Commission.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the quarantining of pets imported from member states of the European Union. [33917]

Mrs. Browning: I refer the hon. Member to the reply given to my hon. Friend for Weston Super Mare (Sir J. Wiggin) on 25 January 1995, *Official Report*, columns *216–17*.

Mr. Harvey: To ask the Minister of Agriculture, Fisheries and Food if he will list the officially recorded incidences of rabies in pets imported *(a)* between member states of the European Union and *(b)* into the United Kingdom from European Union member states since 1996; and if he will make a statement. [33901]

Mrs. Browning: There have been two cases of rabies in pets imported into Great Britain from other European member states since 1966. Both of these were in dogs imported from the German Federal Republic between April and May 1969. The Waterhouse inquiry was set up to review the policy and precautions against rabies following these outbreaks of rabies outside quarantine. It concluded that it was not possible to determine whether these animals were infected when imported or whether they contracted the disease indirectly while in quarantine.

It is not possible without incurring disproportionate costs to list the officially recorded incidences of rabies in pets moved between European Union member states since 1966. We have received comprehensive information on rabies cases within Europe only since 1977. This is compiled by the WHO collaborating centre for rabies surveillance and research, whose data on outbreaks are broken down by country but do not usually include the country of origin of imported animals.

Bovine Offals

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what exemptions have been made to the prohibition of bovine offals from cattle aged more than six months entering the human food chain since November 1989 with particular reference to the use of bovine material containing spinal cords for the preparation of gelatine. [34091]

Mrs. Browning: The regulations in force since November 1989 contain an absolute prohibition on spinal cord being used for any material intended for human consumption including the production of gelatine. No exemptions have been granted to allow this material to be used for human food.

Compliance Cost Assessments

Mrs. Roche: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34150]

Mr. Boswell: I refer to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster today.

Judicial Review

Ms Hodge: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in each

Session since 1991–92, legislation has been introduced into Parliament by his Department, with the purpose of *(a)* removing the effects of a judicial review decision or *(b)* implementing a judicial review decision; and if he will list the relevant legislative provisions. [33581]

Mr. Boswell *[holding answer 19 June 1996]:* There have been no instances in the period since the 1991–92 Session of this Department introducing legislation with the purpose of removing the effects of a judicial review decision.

There has been no instance of the introduction of legislation in order to implement a judicial review decision. This stemmed from the judgment of the High Court of 22 June 1995 in proceedings brought by the National Farmers Union which declared unlawful the criteria used to determine eligibility for quota for producers who, at the time of the introduction of livestock quotas, had an investment programme to expand livestock numbers. The criteria in question appeared in the Sheep Annual Premium and Suckler Cow Premium Quotas Regulations 1993, S.I. 1626, amended by S.I. 1993/3036 and 1994/2894, regulation 13A(15) and schedule 2, part V. The Sheep Annual Premium and Suckler Cow Premium Quotas (Re-assessment of Eligibility) Regulations 1996, S.I. No. 48, implement the judgment by providing for revised criteria and for the re-assessment of the eligibility of these producers.

Ms Hodge: To ask the Minister of Agriculture, Fisheries and Food how many decisions by his Department were challenged by way of judicial review in each Session since 1991–92; and if he will list in how many cases *(a)* the Department's decision was upheld by the court, *(b)* the court found for the applicant, *(c)* the Department submitted to the judgment and *(d)* the Department appealed successfully against the judicial review decision. [33571]

Mr. Boswell *[holding answer 19 June 1996]:* There have been 11 concluded applications for judicial review commenced since the 1991–92 Session of decisions by the Ministry. The Ministry's decision was upheld by the court in all but three cases. The first involved a challenge to a decision of the dairy produce quota tribunal and resulted in the case being remitted to a differently constituted tribunal; the second involved imports of potatoes and citrus fruit from northern Cyprus. That case is currently subject to appeal to the Court of Appeal and involves cross actions by the Greek Cypriot and Turkish companies. The third case is that involving sheep annual premium and suckler cow premium quotas referred to in the answer to the earlier question.

Agricultural Schemes

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will list, for each of his Department's regions, the annual expenditure figures and forecasts for *(a)* countryside access schemes, *(b)* countryside stewardships, *(c)* environmentally sensitive areas, *(d)* farm and conservations grant schemes, *(e)* farm woodland premium schemes, *(f)* habitat schemes, *(g)* nitrate sensitive areas, *(h)* moorland schemes and *(i)* organic aid schemes for each year between 1990–91 and 1998–99. [33995]

Mr. Boswell *[holding answer 24 June 1996]:* The following table provides the information. For the farm and conservation grant scheme, I am able to provide the expenditure by region for the years 1989–90 to 1995–96. The information for the other schemes is not available on a regional basis.

Expenditure under the farm and conservation grant scheme

£ million

RSC	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Carlisle	930,712.42	3,416,402.65	5,153,773.52	5,808,194.55	5,225,671.53	3,584,591.38	1,117,503.12
Northallerton	729,074.65	2,436,188.82	3,089,841.60	3,472,513.95	3,441,871.56	2,420,960.29	707,016.71
Nottingham	309,858.18	1,252,212.67	2,312,156.01	2,623,115.86	2,245,973.29	2,028,193.54	362,502.62
Crewe	1,381,944.28	4,724,433.39	4,485,964.49	3,539,527.75	3,490,007.55	2,355,242.39	539,425.15
Worcester	294,446.63	1,132,565.32	1,595,510.41	1,790,880.27	1,870,610.96	1,599,068.10	567,512.07
Cambridge	111,553.45	1,169,139.03	1,773,753.49	1,114,898.57	2,122,048.08	1,473,366.89	248,465.90
Exeter	1,171,665.66	3,450,144.86	4,688,883.51	4,707,142.13	4,415,658.10	2,915,124.83	1,059,472.23
Bristol	735,502.15	3,604,221.61	4,030,773.69	2,773,918.95	3,244,641.75	2,581,489.12	504,487.32
Reading	1,098,557.10	5,546,704.59	8,682,085.83	7,872,902.63	8,457,562.66	2,099,720.70	518,573.88
Total	6,763,314.52	26,732,012.94	35,812,742.55	33,703,094.66	29,288,373.95	21,057,757.24	5,624,959.36

[1] Records for this financial year have yet to be compeleted.

Animal Welfare

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will list the animal welfare issues for which his Department has responsibility. [34293]

Mrs. Browning *[holding answer 25 June 1996]:* The Department is responsible for the welfare of livestock on farm, at market, at slaughter, and for the welfare of all animals during transport.

Meat Staining Regulations

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to monitor the enforcement of meat staining regulations; and if he will seek to amend them to require the transportation of condemned meat to be carried out in sealed containers. [33728]

Mrs. Browning *[holding answer 25 June 1996]:* The control and supervision of the slaughter and processing of cattle aged over 30 months is undertaken by the Meat Hygiene Service in Great Britain and the Department of Agriculture, Northern Ireland veterinary service in Northern Ireland on behalf of the Intervention Board executive agency, to which they regularly report. This includes responsibility for enforcement of meat staining requirements. It is already a requirement under

mmission regulation 716/96 that stained material must be transported in sealed containers to specially authorised incineration or rendering plants for processing and destruction to prevent its entry into the human or animal food chains.

Animal Feedstuffs

Mr. Couchman: To ask the Minister of Agriculture, Fisheries and Food, what arrangements he is making for the disposal of surplus stocks of animal feed containing mammalian meat and bonemeal, MBM, following the recent ban on feeding MBM to farm livestock. [32479]

Mrs. Browning *[pursuant to her reply 10 June 1996, Official Report, column 2.]:* The Government have today sent a letter to all livestock farmers, feed merchants and feed compounders in the United Kingdom offering to fund the collection and disposal of any residual stocks of MBM or feed containing MBM. Thereafter, after consultation with the appropriate organisations, an order will be laid to make it illegal to have MBM, or feed containing MBM, on farms or in the premises of feed merchants or at feed mills.

Parliamentary approval to this new service will be sought in a supplementary estimate for class III vote 1 (Intervention Board Executive Agency: CAP market support and administration) and for class III vote 2 (Ministry of Agriculture, Fisheries and Food: operational expenditure, agencies and departmental administration). Pending that approval, urgent expenditure estimated at £6 million in these votes will be met by repayable advances from the contingencies fund.

SOCIAL SECURITY

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security who initially evaluates the matches produced by the housing benefit data matching exercise; and if he will make a statement. [33780]

Mr. Heald: During the current development phase of the project, the initial evaluation of the matches produced by the housing benefit matching service is being undertaken by the local authorities involved.

Mr. Field: To ask the Secretary of State for Social Security which local authorities have had housing benefit data matched by the housing benefit matching system; and if he will make a statement. [33779]

Mr. Heald: The London boroughs of Westminster, Hounslow and Richmond have had housing benefit data matched as part of the development phase of the housing benefit matching service project.

Mr. Field: To ask the Secretary of State for Social Security how many local authorities' data it is planned will be matched by *(a)* 1 October, *(b)* 1 January 1997, *(c)* 1 April 1997 and *(d)* 1 June 1997. [33781]

Mr. Heald: The housing benefit matching service project is being taken forward in two phases. Phase 1 will involve eight London boroughs and will be complete by October 1996. Phase 2 will commence in October 1996 and is national implementation. The detailed schedule 2 is in preparation.

Mr. Field: To ask the Secretary of State for Social Security what data matching exercises have been carried out between Benefits Agency staff and those claiming benefit; and if he will place the results in the Library. [33784]

Mr. Heald: I refer the hon. Member to the answer I gave the hon. Member for Rochdale (Ms Lynne) on 18 March, *Official Report*, columns *15–16*.

Incapacity Benefit

Mr. Alan Howarth: To ask the Secretary of State for Social Security (1) what estimate he has made of the savings to his Department for 1995–96 from *(a)* the introduction of incapacity benefit and *(b)* the new all work test of incapacity; [32487]

(2) what are the current estimates of the savings to his Department arising from the introduction of incapacity benefit in each of the years 1996–97, 1997–98, 1998–99, 1999–2000 and 2000—01. [32488]

Mr. Burt: The information is in the table.

The original estimates for savings in 1995–96 and 1996–97 have been revised. The new estimates for these years reflect the decision to control the number of pre-April 1995 cases being put through the all work test to ensure that the total number of cases being processed does not outstrip operational capacity. Long-term savings from the policy changes are unaffected by these changes.

Incapacity benefit

Year	*Estimated savings £ million*
1995–96	340 of which 125 is attributable to the all work test
1996–97	1,060
1997–98	1,860
1998–99	2,200
1999–00	Not available
2000–01	2,500

1. Estimates for expenditure on incapacity benefit are contained in the 1996 Departmental Report, a copy of which is in the Library.
2. All estimates except that for 2000–01 are in cash terms rounded to nearest £10m.
3. Figures for 2000–01 are at 1995–96 prices rounded to nearest £100m.
4. The equivalent cash figure in 2000–01 assuming an uprating factor of 2.25 per cent. in each year after 1998–99 is £2,800m.

Benefit Fraud

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the proactive elements in the Benefits Agency's approach to the detection of internal fraud; and if he will make a statement. [33785]

Mr. Heald: The Benefits Agency security strategy addresses the problem of internal and external fraud. The initiatives of the security strategy, such as new claims visiting and targeted reviews, are effective against both internal and external fraud, and provide a significant deterrent measure. Work has also been undertaken to improve the awareness of staff, and to encourage the reporting of suspicions of fraud.

The Benefits Agency also takes a proactive approach to the detecting of internal fraud. There are several strands to this approach including:

Security checking—there are a large number of checks in place within the benefit payment and administration processes, which are aimed at providing assurance that processes are as secure as possible, and deterring staff from attempting fraud and detecting quickly frauds which are attempted.

The audit trail analysis system (ATAS)—all of the Department's main computer systems have an audit trail—a record of the activity of users of the systems. ATAS provides a powerful tool for the detection and investigation of internal fraud, enabling suspicious patterns of user activity on computer systems to be automatically selected for investigation, and also providing a means of interrogating audit trail data.

Security specialists have put in place in each district (and some central units) within the agency. Trained in risk analysis, the security specialists are conducting an ongoing analysis to identify areas of potential local vulnerability to internal fraud.

Reports of completed investigations are analysed, and wherever possible the ATAS system used to ensure that no other frauds using a similar method exist. Where investigations highlight weaknesses in procedures or computer systems, the information is used in an on-going processor risk analysis, to inform the programme of system improvements.

Mr. Field: To ask the Secretary of State for Social Security how many staff are employed to investigate internal fraud within the Benefits Agency; and if he will state their grades. [33789]

Mr. Heald: At present, there are 35 staff employed on a full-time basis as internal fraud investigators, the large majority of whom are in pay band C3—formerly HEO grade.

There are also approximately 100 further trained investigators within benefit areas and central directorates, who are normally employed on other duties, but who can be called upon to assist with the investigations if required.

In addition to this, there are a number of staff involved in providing support services for internal investigators at a local and national level.

Mr. Field: To ask the Secretary of State for Social Security if the Benefits Agency organised fraud teams are used to investigate internal fraud; and if he will make a statement. [33786]

Mr. Heald: The Benefits Agency uses its organised fraud investigation teams to assist in investigations into internal fraud in cases where the teams' specialist skills can be of benefit to the investigation. The large majority of investigations do not require the involvement of organised fraud, but regular and effective liaison exists between internal investigators and organised fraud to ensure that cases with an organised fraud dimension are identified from internal fraud investigations and vice versa, and that the skills of each section are used when appropriate.

Mr. Field: To ask the Secretary of state for Social Security what are the formal liaison arrangements between individuals investigating internal fraud by staff administering benefits within the Benefits Agency and those investigating internal fraud by staff administering benefits within local authorities. [33790]

Mr. Heald: Liaison between internal fraud investigators in the Benefits Agency and those investigating internal fraud by staff administering benefits in local authorities is on a case-by-case basis. Should Benefits Agency internal investigators identify a fraud involving local authority staff, then a framework exists which enables the sharing of information and co-operation in any investigation. Likewise, should those responsible for investigating local authority staff identify a fraud involving a Benefits Agency employee, a reciprocal arrangement exists.

In the London area, the London team against fraud, which has a particular interest in local authority internal fraud, is represented at the regular liaison meeting held by the Benefits Agency internal fraud investigators.

Child Support Agency

Mr. Kevin Hughes: To ask the Secretary of State for Social Security how many compensation payments for administrative errors made by the Child Support Agency have taken longer than *(a)* six months, *(b)* one year and *(c)* 18 months to process. [34021]

Mr. Andrew Mitchell: The information is not readily available and could be provided only at disproportionate cost.

Ms Gordon: To ask the Secretary of State for Social Security what assessment he has made of the compliance of the CSA computer system with the Data Protection Act 1984; and what was the cost of the system. [33826]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Ann Chant to Ms Mildred Gordon, dated 25 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Computer System.

The Child Support Agency and its computer system are registered with the Office of the Data Protection Registrar, in accordance with the provisions of the Data Protection Act 1984. A close liaison exists with the Agency and the Registrar's Office, with regular meetings both at Chief Executive and working level. The Agency has responded positively to a number of recommendations made by the Data Protection Registrar in the past, following complaints made to the Registrar.

Any software procurement programmes or system enhancements take full account of the requirements of the Data Protection Act.

The cost of the CSA computer system is commercial in confidence.

I hope this is helpful.

Mr. Kevin Hughes: To ask the Secretary of State for Social Security (1) what is the average length of time taken by the Child Support Agency to award compensation payments for administrative errors; [34018]

(2) how many applications the Child Support Agency has received for compensation following administrative errors by the agency in each year since the agency came into operation; [34019]

(3) what amount was awarded in compensation for administrative errors by the Child Support Agency in each year since it came into operation; [34020]

(4) what proposals his Department has to ensure prompt compensation in respect of administrative errors by the Child Support Agency. [34022]

Mr. Mitchell: The administration of the Child Support agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Ann Chant to Mr. Kevin Hughes, dated 25 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Questions to the Secretary of State for Social Security about compensation procedures within the Child Support Agency.

The Child Support agency has a discrete unit to deal with all claims for special payments. This ensures that each case receives individual attention and helps achieve fairness and an appropriate standard of consistency in an essentially discretionary scheme. All cases are treated with priority and are normally dealt with in order of the date of receipt at the unit.

A special payment is considered where a clear and unambiguous error by the Agency has resulted in an actual financial loss to the client. Each case is carefully considered on its individual merits and depending on the complexity of the case, the length of time required to award a special payment can vary considerably. It is not possible therefore to calculate a meaningful average for the time taken to award such payments.

The numbers of special payment applications received and the amounts paid for the years in question are shown in the table attached.

I hope this is helpful.

Year	*Number received*	*Amount £*
1993–94	11	410.00
1994–95	551	4,469.10
1995–96[1]	1,507	174,100.10
1996–97	378	161,708.43

[1] Figures include 494 cases amounting to £58,400 paid as part of an exercise to rectify incorrectly assessed minimum maintenance payments attributed to absent parents.

Benefits Statistics

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many parents who are *(a)* single and *(b)* part of a couple are currently claiming (i) income support, (ii) family credit, (iii) disability working allowance, (iv) housing benefit and (v) council tax benefit. [34270]

Mr. Roger Evans: The information is set out in the table.

Benefit	*Single*	*Couples*
Income Support	1,149,000	484,000
Housing Benefit	908,000	469,000
Council Tax Benefit	953,000	581,000
Family Credit	287,000	355,000
Disability Working Allowance	1,024	2,226

Sources:

1. Income support quarterly inquiry August 1995.
2. Disability working allowance 100 per cent. count of claims.
3. Family credit statistics quarterly inquiries October 1995.
4. Housing benefit management information system, annual 1 per cent. sample inquiries, with and without income support taken at the end of May 1994.

National Insurance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many people are currently earning below the lower earnings limit for national insurance contributions; and how many and what proportion of these are part-time workers. [34276]

Mr. Heald: An estimated 2.6 million people, 95 per cent. of whom work part time, have one or more jobs with earnings below the lower earnings limits.

Source:

Office for National Statistics.

Mr. Howarth: To ask the Secretary of State for Social Security what was the amount paid in national insurance contributions by employers; and what proportion this represents of the national insurance fund in each of the last three years. [34245]

Mr. Heald: The information requested is in the table:

	1992–93	*1993–94*	*1994–95*
Employers' contributions [1] (£ billion)	20.2	21.1	21.3
Employers' contributions as a percentage of National Insurance Fund receipts [2]	56.7	47.5	47.2

[1] Total of employers' class 1 and class 1A contributions paid into the national insurance fund.

[2] National insurance fund receipts include contributions paid by employers, employees and the self-employed, the Treasury grant (from April 1993) and other income. Further information is available in the national insurance fund accounts for each year, copies of which are in the Library.

Mr. Howarth: To ask the Secretary of State for Social Security what is his estimate of the cost of removing employer national insurance contributions on earnings below the lower earnings limit. [34234]

Mr. Heald: If employers were not required to pay national insurance contributions on the portion of their employees earnings below the lower earnings limit, contribution revenue for 1997–98 would be reduced by about £5 billion.

Source:

Government Actuary's Department.

Benefits Agency (Advice Line)

Mr. Alan Howarth: To ask the Secretary of State for Social Security, pursuant to his answer of 2 April, *Official Report*, column *223*, when a review of the freeline telephone advice service will be completed; and where the results will be published. [34320]

Mr. Roger Evans: I refer the hon. Member to the reply I gave the hon. Member for Milton Keynes, North-East (Mr. Butler) on 21 June, *Official Report*, column *629*.

Benefits Agency Medical Service

Mr. Alan Howarth: To ask the Secretary of State for Social Security, pursuant to his answer of 13 December 1995, *Official Report*, column *673*, when he expects to place details of successful bidders for the Benefits Agency medical service in the Library. [34271]

Mr. Burt: Details of successful bidders for the Benefits Agency medical service will be placed in the Library following the award of a contract or contracts, which is expected to be by April 1997.

Benefits Agency

Ms Lynne: To ask the Secretary of State for Social Security (1) how many claims have been made against the Benefits Agency owing to claimants being wrongly advised by the Benefits Agency in the last year for which figures are available; [33926]

(2) how many extra-statutory payments have been paid out in compensation to claimants found to have been given wrong advice by the Benefits Agency in the last year for which figures are available; [33927]

(3) how many claims made against the Benefits Agency for wrongly advising claimants in the last year for which figures are available have been upheld by the social security appeal tribunal. [33929]

Mr. Roger Evans: The information is not available and could be obtained only at disproportionate cost.

Ms Lynne: To ask the Secretary of State for Social Security what is his policy on extra-statutory compensation to claimants found to have been given wrong advice by the Benefits Agency. [33928]

Mr. Evans: Where it its determined that official advice was clearly wrong and that, as a result, a claimant has lost underlying statutory entitlement to benefit, an extra-statutory payment is considered. It is determined as though the correct advice had been given and in accordance with the benefit legislation appropriate to the period in question. The Department's policy in such cases is that a compensation payment will be considered.

Contracts

Mrs. Roche: To ask the Secretary of State for Social Security if he will list *(a)* the average value of contracts awarded by his Department, *(b)* the value of (i) the smallest and (ii) the largest contract awarded, *(c)* the number of contracts with a value of (1) £0 to £999, (2) £1,000 to £9,999, (3) £10,000 to £49,999, (4) £50,000 to £99,999, (5) £100,000 to £499,999, (6) £500,000 to £999,999 and (7) above £1,000,000 and *(d)* the total number of contracts awarded in 1995–96. [34137]

Mr. Burt: The information is not available.

Income Support

Mr. Hain: To ask the Secretary of State for Social Security how many people claim income support; and what proportion of them are over state retirement age. [34158]

Mr. Roger Evans: As at August 1995, there were 5,751,000 income support claimants, of whom 27.6 per cent. were over state retirement age.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Social Security what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34136]

Mr. Burt: I refer the hon. Member to the reply given to her by my right hon. Friend the Chancellor of the Duchy of Lancaster.

Benefit Claimants (Transfers)

Mr. Hain: To ask the Secretary of State for Social Security if he will list those provisions of social security legislation which have transferred claimant groups from one benefit to another since 1979; and if he will give approximate numbers of affected claimants. [34486]

Mr. Burt: The main legislative provisions which have resulted in the transfer of recipients from one benefit to another are listed in the table, together with such information as is available regarding the numbers affected.

Legislation	*Effect*	*Approximate numbers affected at point of change*
Housing Benefits Regulations 1982	Claimants in receipt of supplementary benefit including rent costs were transferred to housing benefits: rent rebate, rate rebate and/or rent allowance	Not available
Social Security (Severe Disablement Allowance) Regulations 1984	Claimants in receipt of non-contributory invalidity pension and housewives non-contributory invalidity pension were transferred to severe disablement allowance	250,000
s.20 of the Social Security Act 1986	Claimants in receipt of supplementary benefit were transferred to income support	¼4.4 million
paras. 5 and 6 of Schedule 3 to the Social Security Act 1986	Claimants in receipt of special hardship allowance were transferred to reduced earnings allowance	150,000
Family Credit (General) Regulations 1987	Claimants in receipt of family income supplement were transferred to family credit	200,000
Housing Benefit (General) Regulations 1987	Claimants in receipt of pre-1988 housing benefits were transferred to housing benefit	¼4 million
Income Support (General) Amendment Regulations 1987, Family Credit (General) Regulations 1987	Claimants in receipt of supplementary benefit who were working for between 24 and 30 hours per week became eligible to claim family credit	Not available
s.2 of the Social Security Act 1988, para. 8 of Schedule 1 to the Social Security Act 1989, Social Security (Industrial Injuries and Diseases) (Miscellaneous Amendments) Regulations 1996	Claimants in receipt of reduced earnings allowance over pensionable age were transferred to retirement allowance	32,000 to date, 2,000 to be reviewed
Social Security (Introduction of Disability Living Allowance) Regulations 1991	Claimants in receipt of attendance allowance under the age of 65 were transferred to disability living allowance (care component)	¼340,000

Legislation	Effect	Approximate numbers affected at point of change
Social Security (Introduction to Disability Living Allowance) Regulations 1991	Claimants in receipt of mobility allowance were transferred to disability living allowance (mobility component)	[1]700,000
Income Support (General) Amendment Regulations 1991, Family Credit (General) Amendment Regulations 1991	Claimants in receipt of income support who were working for between 16 and 24 hours per week became eligible to claim family credit	Not available
Council Tax (General) Regulations 1992	Council tax benefit introduced to replace community charge benefit	[2]5.5 million
Social Security (Incapacity Benefit) (Transitional) Regulations 1995	Claimants in receipt of sickness and invalidity benefits were transferred to incapacity benefit	1.9 million
s.40(2) of the Jobseekers Act 1995	Claimants in receipt of unemployment benefit and/or income support for the unemployed will be transferred to jobseeker's allowance from 7 October 1996	Numbers will depend on actual numbers claiming

[1] Claimants who received both attendance allowance and mobility allowance are included in both figures; the total number of people affected is not available.
[2] Figures based on numbers claiming before and after change; actual number of transfers may be lower.

Male Earnings Mobility

Mrs. Roe: To ask the Secretary of State for Social Security when he intends to publish the paper on male earnings mobility to which he referred in his recent speech on welfare reform and Christian values at Southwark cathedral. [34938]

Mr. Lilley: The paper on male earnings mobility in the lifetime labour market database will be published today, and copies of the paper will be placed in the Library. The study follows a sample of men aged between 25 and 44 in 1978, over a 15-year period. It provides a valuable addition to our understanding of how people's work status and earnings change over time and confirms that an interpretation of statistics on the distribution of income and earnings that suggest those at the bottom have become worse off, is too simplistic.

The men in this study have not, in general, stayed in the same position for 15 years. Many have moved both into and out of work and the great majority of earners saw real increases in their earnings over the period.

Child Support (Benefits)

Mr. Frank Field: To ask the Secretary of State for Social Security how many reduced benefit directions have been imposed in each year since the introduction of the Child Support Agency; and how many reduced benefit directions have been issued in the current year to date. [34463]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. Frank Field, dated 25 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency.

During 1995–96 27,478 reduced benefit directions were imposed. No information is available prior to this. In the current year 1,091 reduced benefit directions have been imposed during April 1996.

Figures on the number of reduced benefit directions imposed are included in the CSA Statistical Information placed in the Library of the House of Commons.

I hope this is helpful.

LORD PRESIDENT OF THE COUNCIL

Health and Safety

Mr. Ian McCartney: To ask the Lord President of the Council what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33459]

Mr. Newton: Working conditions within the Privy Council office over the past five years have not at any time fallen below acceptable health and safety standards, although the maintenance of such standards is an important management priority and resources are directed to that end as necessary. I am not responsible for any agencies.

Mr. McCartney: To ask the Lord President of the Council how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33457]

Mr. Newton: None. I am not responsible for any agencies.

Written Answers to Questions

Thursday 27 June 1996

HOME DEPARTMENT

Violence Against Women

Mr. Khabra: To ask the Secretary of State for the Home Department what steps he intends to take to increase the protection available to women from violence and the threat of violence. [34410]

Mr. Maclean: On 17 June, my right hon. and learned Friend published a consultation paper entitled "Sentencing and Supervision of Sex Offenders". The proposals in that paper would help to protect women by strengthening arrangements for the supervision of sex offenders, by requiring those offenders to notify the police of their address and by extending the powers of the police and Prison Service to take samples for the purposes of DNA testing.

The Government are also committed to combating domestic violence vigorously. Inter-departmental groups of Ministers and of officials were set up in 1993 to co-ordinate an effective and concerted response to domestic violence. Both groups are due to meet shortly to review and develop initiatives aimed at promoting more co-ordinated national and local responses to the problems associated with domestic violence.

Although the risk of becoming a victim of violent crime is relatively low, it can be reduced still further. Since 1988, almost 23 million copies of "Your Practical Guide to Crime Prevention" has been distributed. This Home Office booklet includes advice to women on how to minimise their risk from violence.

Littlehey Prison

Mr. Mullin: To ask the Secretary of State for the Home Department how many suicide attempts there have been at Littlehey prison during the last three months. [33800]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Chris Mullin, dated 27 June 1996:

The Home Secretary has asked me to reply to your recent Question about the number of suicide attempts there have been at Littlehey prison during the last three months.

From 18 March to 19 June there were three reported suicide attempts at Littlehey prison.

Prison Population

Mr. Cox: To ask the Secretary of State for the Home Department when he last met members of the Prison Governors Association to discuss changes in the level of the prison population. [33709]

Miss Ann Widdecombe: My right hon. and learned Friend last met national representatives of the Prison Governors Association on 9 February to discuss Prison Service spending. The association's concern about rises in the prison population was among the subjects raised, both at the meeting and in correspondence arising from it.

Crime (Staffordshire)

Mr. Brian David Jenkins: To ask the Secretary of State for the Home Department (1) what were the clear-up rates of recorded *(a)* car break-ins, *(b)* car thefts and *(c)* burglaries in Staffordshire in each year since 1979; [34340]

(2) how many recorded car thefts there were in Staffordshire in each year since 1979; [34389]

(3) how many recorded domestic burglaries there were in Staffordshire in each year since 1979; [34347]

(4) how many car break-ins were recorded in Staffordshire in each year since 1979. [34388]

Mr. Maclean: The information requested is provided in the table. Please note that information for theft from vehicles has been provided for "car break-ins".

Notifiable offences recorded by the police and clear-up rates, Staffordshire 1979–1995

	Burglary in a dwelling		*Theft of a vehicle*		*Theft from a vehicle*	
Year	*Number of offences*	*Clear-up rate Per cent.*	*Number of offences*	*Clear-up rate Per cent.*	*Number of offences*	*Clear-up rate Per cent.*
1979	2,755	35	2,876	41	4,415	28
1980	3,085	29	3,325	38	4,186	23
1981	3,565	38	3,248	41	5,968	27
1982	4,304	41	3,130	40	5,842	28
1983	5,177	34	3,224	40	6,082	28
1984	5,783	42	3,081	35	6,181	27
1985	5,516	44	3,394	34	6,423	38
1986	6,250	31	4,640	34	7,386	28
1987	6,520	29	4,376	33	8,333	25
1988	6,337	37	4,859	41	9,287	39
1989	5,430	39	5,960	39	8,946	29
1990	7,639	30	7,077	42	12,601	28
1991	9,846	35	9,290	37	15,382	27
1992	12,570	22	11,507	30	16,710	20
1993	13,833	22	10,853	30	16,758	19
1994	12,637	24	9,638	27	16,320	20
1995	12,090	30	8,775	26	14,970	20

Mr. Jenkins: To ask the Secretary of State for the Home Department what was the average age of people convicted of *(a)* car theft and *(b)* burglary in Staffordshire in the latest year for which statistics are available. [34341]

Mr. Maclean: Information for 1994 on the number of offenders convicted at all courts in the Staffordshire police force area by age is given in the table. Data for 1995 will not be available until the autumn.

Number of persons convicted at all courts of (a) car theft and (b) burglary offences in the Staffordshire Police Force Area by age, 1994

Age	Car theft[1]	Burglary: Domestic burglary	Burglary: Non domestic burglary	Burglary: Total burglary
10	—	—	—	—
11	—	1	—	1
12	1	1	1	2
13	8	4	3	7
14	16	9	9	18
15	22	9	11	20
16	45	15	20	35
17	67	40	31	71
18	60	23	39	62
19	42	30	37	67
20	40	37	26	63
21 and under 25	53	94	99	193
25 and under 30	24	39	53	92
30 and under 40	12	22	34	56
40 and under 50	2	5	4	9
50 and under 60	—	1	1	2
60 and over	1	—	—	—
All ages	393	330	368	698

[1] Car theft includes the indictable offences of aggravated vehicle taking—injury to person, damage to property of car; theft from vehicles; theft or unauthorised taking of motor vehicle car and the summary offences of stealing and unauthorised taking of a conveyance and aggravated vehicle taking where criminal damage of £2,000 or under.

[2] Includes persons, convicted of summary offences, given the default age of 25 where the exact age was not known.

Mr. Jenkins: To ask the Secretary of State for the Home Department what was the conviction rate for retail store robbery and till snatches in *(a)* Tamworth and *(b)* Staffordshire in each year since 1979. [34476]

Mr. Maclean: This information is not available centrally.

Mr. Jenkins: To ask the Secretary of State for the Home Department what was the average value of items stolen in recorded domestic break-ins in each year since 1979 in *(a)* Staffordshire, *(b)* the west midlands and *(c)* the United Kingdom. [34342]

Mr. Maclean: Information on the average value of items stolen in recorded domestic burglaries in Staffordshire and the west midlands for 1993 and 1994 is provided in the table. Data before 1993 are no longer available, and data for 1995 are not yet available.

Similar information for England and Wales covering 1979 to 1992 is published annually in the Command Paper "Criminal Statistics, England and Wales", copies of which are available in the Library. Information on Scotland and Northern Ireland are matters for the Secretary of State for each Department.

Average value[1] of items stolen from domestic burglaries recorded by the police, 1993–1994

Police force area	1993 £	1994 £
Staffordshire	714	795
West Midlands	1,048	1,053
England and Wales	991	1,002

[1] Excludes offences where value was recorded as nil.

Mr. Jenkins: To ask the Secretary of State for the Home Department what was the average value of items recorded as stolen from cars in Staffordshire in each year since 1992. [34348]

Mr. Maclean: Information on the average value of items stolen from cars in Staffordshire is not generally published separately from total offences of theft. However, information for 1993 and 1994 is provided in the table. Data for 1992 are no longer available, and data for 1995 are not yet available.

Average value[1] of items stolen from thefts from cars recorded by the police in Staffordshire, 1993–94

Police force area	1993 £	1994 £
Staffordshire	255	250

[1] Excludes offences where value was recorded as nil.

Female Genital Mutilation

Dr. Godman: To ask the Secretary of State for the Home Department (1) what proposals he has to modify regulations to facilitate the granting of asylum to women asylum seekers who claim that they are seeking to avoid genital mutilation in their countries of origin; and if he will make a statement; [34159]

(2) how many women asylum seekers have sought asylum over the past 10 years on the grounds that they are seeking to avoid genital mutilation; how many were granted asylum; and if he will make a statement. [34160]

Mr. Kirkhope: The statistical information requested is not held centrally.

To qualify for refugee status, applicants need to show that they have a well-founded fear of persecution based on one of the reasons contained in the 1951 United Nations convention relating to the status of refugees. Those who do not meet the requirements of the 1951 convention may nevertheless be granted exceptional leave to remain if there are compelling humanitarian reasons for their doing so. Cases are considered in the light of their individual circumstances.

Women Police Officers

Dr. Marek: To ask the Secretary of State for the Home Department how many women police officers in the metropolis have referred employment grievances to industrial tribunals in each of the last five years; and how many of these cases have been dismissed. [34758]

Mr. Maclean: The Commissioner informs me that the information requested is not available before July 1995. Since July 1995, the Metropolitan police have dealt with 49 applications to industrial tribunals by women police

officers. Of these cases, 10 have been withdrawn, three were settled and six dismissed. The remaining 30 cases are outstanding.

Hoax Calls

Mr. Thurnham: To ask the Secretary of State for the Home Department (1) if he will list the annual number of hoax calls to the emergency services in each of the last five years *(a)* in Bolton, *(b)* in the north-west and *(c)* nationally, indicating the approximate cost of each call-out; [34408]

(2) if he will list the annual number of hoax calls to the fire service in each of the last five years *(a)* in Bolton, *(b)* in the north-west and *(c)* nationally indicating the approximate cost of each call-out; and if he will make a statement. [34409]

Mr. Sackville: Information on the number of times the police attend a hoax call and on the cost of so doing is not available centrally. The readily available information on malicious false alarm incidents attended by local authority fire brigades in the north-west and the United Kingdom is shown in the table. Information on cost is not collected centrally.

Malicious false fire arms attended by local authority fire brigades in the North-West of England and United Kingdom, 1990–94

Year	Cumbria	Cheshire	Greater Manchester	Lancashire	Merseyside	United Kingdom
1990	660	1,604	11,610	3,474	6,249	137,540
1991	807	1,548	13,191	4,305	6,562	148,112
1992	1,013	1,457	11,972	4,745	6,451	160,302
1993	1,242	1,398	11,135	4,201	6,846	155,169
1994	1,004	1,491	10,461	3,868	7,048	149,201

Source:
Home Office.

Royal Commission on Criminal Justice

Mr. Thomason: To ask the Secretary of State for the Home Department when he expects to issue a final response to the report of the royal commission on criminal justice. [35118]

Mr. Maclean: I have today placed in the Library a copy of the Government's final response to the report of the royal commission on criminal justice.

The royal commission made 352 recommendations. The Government have accepted, wholly or in part, 204 recommendations and 58 remain under consideration in the light of other initiatives and developments. The Government have decided not to implement 46 recommendations. The remaining 44 recommendations are not primarily for the Government, but the response indicates the action that the Government understand to have been taken.

Parole Board

Lady Olga Maitland: To ask the Secretary of State for the Home Department when the Parole Board will become an executive non-departmental public body; and how its functions will alter. [35119]

Mr. Howard: A commencement order has been made that will bring into effect on 1 July 1996 section 149 of the Criminal Justice and Public Order Act 1994. This will establish the Parole Board as an executive non-departmental public body. The statutory functions of the board will not be affected; the changes are essentially administrative and will make the board more accountable for its performance. A copy of the board's management statement and the financial memorandum will be placed in the Library.

Staffordshire Police

Mr. Brian Jenkins: To ask the Secretary of State for the Home Department if he will list for Staffordshire police force the *(a)* number of serving officers, *(b)* number of officers on the beat, *(c)* average police pay in real terms and *(d)* cost of the service in real terms for each year since 1979. [34346]

Mr. Maclean: Information on the number of serving officers is set out in table 1. Information on the number of officers specifically assigned to beat duties is not available. Estimates of the number of offices on patrol duties are available from 1989 and are also set out in table 1.

Information on average police pay and total force expenditure is available only from 1988–90 and is set out in table 2.

Staffordshire police
Total force strength and number of patrol officers

Police strength		Patrol strength[1]	
Month/year	All ranks	Year[2]	Number of officers
April 1979	1,980	—	—
March 1980	2,051	—	—
March 1981	2,096	—	—
March 1982	2,086	—	—
March 1983	2,080	—	—
March 1984	2,090	—	—
March 1985	2,066	—	—
March 1986	2,087	—	—
March 1987	2,113	—	—
March 1988	2,135	—	—
March 1989	2,164	—	—
March 1990	2,187	1989	1,278
March 1991	2,217	1990	1,300
March 1992	2,176	1991	1,091
March 1993	2,179	1992	1,304
March 1994	2,208	1993	1,234
March 1995	2,231	[3]1994–95	1,314
March 1996	2,209	[4]1995–96	1,302

[1] Based on returns provided by police forces, showing officers who spend more than 50 per cent. of their time on patrol duties. These include foot, car, beat and dog patrol, and mounted officers.
[2] Collected per calendar year—as at 31 December each year.
[3] The basis of collection changed in 1994 to the financial year. Figures now taken as at 31 March.
[4] Provisional.

Staffordshire police
Total expenditure and average pay and allowance per police officer (at 1995–96 prices)

Year	Total force expenditure £	Average pay and allowances per officer [1] £
1988–89	81,550,000[2]	24,298
1989–90	84,499,000[2]	24,665
1990–91	93,196,000	26,780
1991–92	96,446,000	27,335
1992–93	99,778,000	27,644
1993–94	103,652,000	27,487
1994–95	105,514,000	27,777
1995–96	106,681,000[3]	n/a
1996–97	111,128,000[3]	n/a

[1] Estimated by dividing total pay and allowance expenditure by total police strength as shown in Table 1.
[2] Excludes capital and loan charges expenditure (information not readily available).
[3] Estimated expenditure.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for the Home Department what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34126]

Mr. Howard *[holding answer 26 June 1996]:* I refer the hon. Member to the answer given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 26 June, column *119*.

Locks

Mr. Winnick: To ask the Secretary of State for the Home Department what measures are being taken by his Department to encourage the purchase of British manufactured locks in the establishments under the control of his Department. [34568]

Miss Widdecombe *[holding answer 26 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. David Winnick, dated 27 June 1996:

The Home Secretary has asked me to reply to your recent Question about measures to encourage the purchase of British manufactured locks.

The Prison Service is required to comply with the requirements of public competition laws when letting a contract for the supply of locks. This is done irrespective of the country of origin.

Immigrants (Marriage Breakdown)

Ms Short: To ask the Secretary of State for the Home Department how many *(a)* women and *(b)* men admitted to the United Kingdom on probation as a spouse were refused leave to remain due to the breakdown of the marriage before the end of the 12-month probationary period in (i) 1993, (ii) 1994 and (iii) 1995; and in each case what proportion of these marriages broke down due to the spouse seeking settlement having suffered domestic violence from the settled spouse. [34733]

Mr. Kirkhope: A decision to grant or refuse an application for indefinite leave to remain made on the basis of marriage to a person settled here would normally be taken at the end of the 12-month probationary period. The numbers of women and men refused leave to remain at that stage, which include those admitted as a spouse and those who married in this country, are given in the table. Allegations of domestic violence are not separately recorded.

Refusals of applications for indefinite leave to remain on the grounds of marriage 1993–95

	1993	1994	1995
Women	300	370	440
Men	330	410	490

Prisoners (Family Support)

Mr. Chris Davies: To ask the Secretary of State for the Home Department what financial assistance his Department has provided towards prisoners' wives and families support groups annually since 1986. [33903]

Miss Widdecombe: Details of financial assistance given to prisoners' wives and families support groups are as follows:

£

Organisation	1986–87	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96
Prisoners' Wives and Families Society [1]	—	—	—	—	—	—	—	16,331	17,426	—
Prisoners' Families and Friends	5,980	6,279	7,130	6,820	7,127	7,697	8,236	13,400	13,527	—
Partners' of Prisoners and Families Support Groups	—	—	—	—	—	—	25	20	20	—
Bourne Trust	—	—	—	—	—	—	—	—	5	—
Halow (London)	—	—	—	—	—	—	—	3.5	5	—
Halow (Birmingham)	—	—	—	—	—	—	15	16.5	4	—
Halow (Bristol)	—	—	—	—	—	—	—	5	10	—
Aftermath	—	—	—	—	—	—	10	15	—	—
Prison Link	—	—	—	—	—	—	—	10	10	—
Female Prisoners Welfare Project	—	—	—	—	—	—	10	—	—	—

£

Organisation	1986–87	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96
Federation of Prisoners' Family Support Groups	—	—	—	—	—	—	15	25	2	—
Total	5,980	6,279	7,130	6,820	7,127	7,697	78,236	124,731	86,953	—

[1] Figures for 1986–87 to 1992–93 not available.

DUCHY OF LANCASTER

Appeals

Mr. Sykes: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress with developing a model for appeals against enforcement action. [35080]

Mr. Freeman: A new model mechanism for appeals against enforcement action has been set out in S.I. 1678, which was laid before Parliament today.

This new model provides for a speedier and cheaper way of resolving disputes on enforcement of regulations. At the same time, it incorporates procedures that will ensure every opportunity is made available to business to resolve disputes informally without having to resort to the appeal process.

The model has been developed through wide consultation with the business and regulatory community, drawing on best practice from existing appeal procedures.

Features of the model include: rights to make representation before formal action is taken, unless urgent action is necessary; provision for an appeal tribunal to be set up by the Minister responsible for the legislation, to resolve disputes that cannot be resolved informally; time limits for each stage of the appeal process; appeals to be considered on their merits by the tribunal; assistance with an effective and efficient resolution of disputes, for which pre-hearing reviews will be encouraged; and, where appropriate, the decision of the tribunal can be based on written submissions only, avoiding the time and costs of oral hearings.

Each tribunal will be made up of a legally qualified chairman assigned from a panel appointed by the Lord Chancellor in England and Wales and the Lord Advocate in Scotland; a member who is expert in the field; and a member representing business. Each tribunal will be supported by a registrar to provide for active case management.

The model is designed to apply across a wide range of policy areas. The rights to make representations at an early stage have already been implemented by the Environment Agency and for health and safety legislation. They will shortly be applied to food safety and building regulations, and later in the year to fire safety and consumer affairs.

Health and Safety

Mr. Ian McCartney: To ask the Deputy Prime Minister what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33498]

Mr. Willetts: The table gives available sick pay and compensation costs for the Central Cabinet Office, including No. 10, and the executive agencies for which I am responsible.

Part A: Sick pay

	Minor £	Major £
Cabinet Office and its Agencies		
1991–92	1,313.28	Nil
1992–93	694.28	Nil
1993–94	8,935.80	Nil
1994–95	11,595.20	4,663.88
1995–96		
COI		
1991–92	Nil	Nil
1992–93	Nil	Nil
1993–94	Nil	10,549.02
1994–95	Nil	1,399.17
1995–96	Nil	Nil

There were no reported fatal injuries.

Part B:

Compensation paid to employees, their families or members of the public:

Nil return from all Departments/Agencies except COI: 1 case 1994–95 £90,000 paid to employee.

Incidents involving information technology:

COI: 1 case 1993—Repetitive Strain Injury (RSI).

Incidents involving expenditure of more than £5,000 (costs of sick leave may not all fall in one financial year):

OHSA: 1 case 1994–95—fall.

CCC: 1 case 1994–95—fall/slipped whilst patrolling perimeter fence.

COI: 1 case 1993–94—RSI.

PACE, SAFE and TBA have Nil returns for all categories and all years.

HMSO—The information is not held centrally and can only be obtained at disproportionate cost.

Not all work-related injuries incurred sick pay.

Mr. McCartney: To ask the Deputy Prime Minister on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33496]

Mr. Willetts: The information requested from the Cabinet Office, its agencies, the Central Office of Information and HMSO is as follows:

Cabinet Office and its Agencies:

1991–92: Nil

1992–93: Nil

1993–94: One

1994–95: Three

1995–96: Five

Central Office of Information:

No occasions. On no occasion was the Health and Safety Commission involved.

HMSO:

The information is not held centrally and can only be provided at disproportionate cost.

Mr. McCartney: To ask the Deputy Prime Minister what was the cost in each of the past five years of rectifying working conditions that were the responsibility of his Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33499]

Mr. Willetts: The Cabinet Office, its agencies, the Central Office of Information and HMSO all have rolling programmes of maintenance which are designed to ensure that working conditions meet acceptable health and safety standards. They also respond to specific concerns as they arise. Information on this type of expenditure is as follows:

Cabinet Office and its Agencies:

1991–92: Nil

1992–93: Nil

1993–94: £6,700

1994–95: £48,600

1995–96: £109,700

Central Office of Information:

Nil.

There are no incidents involving information technology.

HMSO:

The information is not held centrally and can only be provided at disproportionate cost.

Mr. McCartney: To ask the Deputy Prime Minister how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33497]

Mr. Willetts: The information requested from the Cabinet Office, it agencies, the Central Office of Information and HMSO is as follows:

	Minor	*Major*
Cabinet Office and its Agencies		
1991–92	54	Nil
1992–93	66	Nil
1993–94	81	Nil
1994–95	95	Nil
1995–96	127	1
Central Office of Information		
1991–92	21	Nil
1992–93	13	Nil
1993–94	3	[1] 1
1994–95	Nil	Nil
1995–96	3	Nil

Minor injuries consisted mainly of paper cuts, minor bruises and pulled muscles reported to first aiders. There were no minor injuries related to information technology.

[1] The one major injury in COI in 1993–94 was related to information technology.

There were no reported fatal injuries.

For HMSO, the information requested is not held centrally and can only be provided at disproportionate cost.

Ministerial Visits

Mr. Harvey: To ask the Minister without Portfolio if he will list the constituencies he has visited in the past three months on official business and the constituencies he intends to visit in the next three months; and if he will make a statement. [34390]

Dr. Mawhinney: In April, I gave the Allsebrook lecture at the university of Ulster in Jordanstown in my capacity as Minister without Portfolio. My diary for the next three months has not yet been finalised, but I always do my best to give prior warning to hon. Members when I visit their constituencies in an official capacity.

Competitiveness

Mrs. Roche: To ask the Deputy Prime Minister what was the cost to public funds of producing "Competitiveness: creating the enterprise centre of Europe". [34060]

The Deputy Prime Minister *[holding answer 25 June 1996]:* Final figures are not yet available, but I expect my Department's costs for the production and launch of the White Paper and related products to be in the region of £380,000.

HEALTH

Desogestrel and Gestodene

Mr. Simon Hughes: To ask the Secretary of State for Health if the formal written request of 11 October 1995 to the Committee for Proprietary Medicinal Products that matters relating to desogestrel and gestodene be considered by that committee received the prior approval of Ministers. [33980]

Mr. Malone: I refer the hon. Member to the reply that I gave him on 30 April, column *499*.

Myocardial Infarction

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer of 19 December 1995 to the hon. Member for Gordon, (Mr. Bruce), *Official Report*, column *1152*, if he will name the studies relating to myocardial infarction which were made available to the Committee on Safety of Medicines on 13 October 1995; and if he will list the data included and vehicle of publication of those results and what results remain unpublished. [33979]

Mr. Malone: I refer the hon. Member to the replies that I gave him on 7 March, column *321–22* and on 9 May, column *243*.

Licensing Authority

Mr. Simon Hughes: To ask the Secretary of State for Health if he will make a statement on the means by which the Licensing Authority has, since 1 January 1995, implemented its responsibilities to the European Medicines Evaluation Agency. [33985]

Mr. Malone: The Licensing Authority implements its responsibilities under the European drug regulatory system through adoption of the following European directives: the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994, (S.I. 3144, and European Council Regulation 2309/93.

Committee for Proprietary Medicinal Products

Mr. Simon Hughes: To ask the Secretary of State for Health by what procedure referrals are made to the Committee for Proprietary Medicinal Products by the United Kingdom [33981]

Mr. Malone: Formal referrals to the Committee for Proprietary Medicinal Products must comply with the provisions of Council directive 75/319/EEC, as amended by directives 83/570/EEC and 93/39/EEC.

Matters may also be placed on the agenda of meetings of the CPMP for information and discussion.

Unique Patient Numbers

Mr. Gapes: To ask the Secretary of State for Health what estimate he has made of the number and proportion of hospitals, and the number and proportion of general practitioner practices, which now have systems in place to handle the unique NHS patient number. [33990]

Mr. Horam *[pursuant to his reply, 21 June 1996, c. 669]:* I regret that there was an error in my previous reply.

The final sentence should have read:

"At the end of May 1996, the number of practices with this capacity was 5,700, which is 67 per cent. of all computerised practices".

Free Prescriptions

Mr. Jon Owen Jones: To ask the Secretary of State for Health what was the cost of providing free prescriptions and optical and dental treatment to students for each year since 1992–93. [34279]

Mr. Malone: The information is not available.

Mental Illness

Mr. Thurnham: To ask the Secretary of State for Health if he will estimate how many people suffering *(a)* schizophrenia, *(b)* manic depression and *(c)* other severe mental illness receive free prescriptions; and if he will make a statement. [34103]

Mr. Malone: This information is not available. In 1996–97, we expect 85 per cent. of prescriptions to be dispensed free, thanks to our extensive exemption arrangements, which are among the most generous in Europe. Many people with mental health problems will benefit from these.

Consultant Anaesthetists

Mr. Gordon Prentice: To ask the Secretary of State for Health what is the current salary range for consultant anaesthetists in the NHS; and how many NHS trusts offer salaries in excess of the range. [34427]

Mr. Malone: The current salary range for hospital medical and dental consultant staff is £41,760, to a maximum of £64,690, which includes discretionary points. This applies to consultants employed on national terms and conditions of service. Consultant staff employed on trust contracts may be remunerated in excess of this range. Information on the number of consultant staff on trust contracts is not available centrally.

Nurses' Pay (NHS Trusts)

Ms Janet Anderson: To ask the Secretary of State for Health how many NHS trusts have made a pay offer additional to the pay award to nurses recommended by the Nurses and Midwives Pay Review body on 8 February. [34641]

Mr. Corbett: To ask the Secretary of State for Health if he will list those hospital trusts in the west midlands that *(a)* have made pay offers to nurses and *(b)* have not made pay offers to nurses at the latest convenient date. [34660]

Mr. Malone: The timing and structure of local pay offers is a matter for local national health service management. It is for each trust to decide whether to make public the position it has reached.

Mental Health Act Commission

Mr. Anthony Coombs: To ask the Secretary of State for Health when he will publish his Department's response to the sixth biennial report of the Mental Health Act Commission. [35117]

Mr. Bowis: I have written to Lady Runciman, chairman of the Mental Health Act Commission, enclosing a detailed response and have today placed these documents in the Library.

Wheelchairs

Mr. Alfred Morris: To ask the Secretary of State for Health what guidance he has given to health authorities on the supply of wheelchairs to disabled people. [33730]

Mr. Bowis: We have recently issued HSG(96)34 to health authorities. This gives guidance on the provision of indoor-outdoor powered wheelchairs, which the Government have made available on the national health service for the first time.

Mr. Morris: To ask the Secretary of State for Health (1) if he will list those health authorities which no longer supply wheelchairs to disabled people unable to walk outside their homes; [33731]

(2) what provision he proposes to make to ensure that disabled people who are occasional users of a wheelchair have access to a wheelchair suitable for their needs. [33732]

Mr. Bowis: Wheelchair services are the responsibility of health authorities. It is for health authorities and the wheelchair service centres that provide the service to set their own criteria and priorities.

Mr. Morris: To ask the Secretary of State for Health how many wheelchairs are currently on loan from the NHS; and if he will breakdown the ages of the users into the following groups *(a)* 10 to 20 years, *(b)* 20 to 40 years, *(c)* 40 to 50 years, *(d)* 50 to 60 years, *(e)* 60 to 70 years, *(f)* 70 to 80 years and *(g)* 80 years-plus. [33733]

Mr. Bowis: The information is not available centrally in the form requested.

Mr. Morris: To ask the Secretary of State for Health what correspondence he has had with the Royal Associations for Disability and Rehabilitation regarding the wheelchair service offered by Sandwell health authority; and if he will make a statement. [33734]

Mr. Bowis: I have seen the correspondence between Mr. Bert Massie of the Royal Association for Disability and Rehabilitation and my officials, It is for health authorities to set their own criteria for the provision of wheelchairs within the increased resources available.

Stored Embryos

Mr. Morley: To ask the Secretary of State for Health what research is currently being carried out on stored frozen embryos. [34581]

Mr. Horam: Research in the United Kingdom involving frozen embryos requires a licence from the Human Fertilisation and Embryology Authority. At present, there are no licences granted for such research. As for previous research, I refer the hon. Member to the reply I gave the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 26 January, column *415*.

Mr. Morley: To ask the Secretary of State for Health what assessment he has made of the adequacy of the arrangements for identifying the donors of stored embryos. [34582]

Mr. Horam: I refer the hon. member to my letter of 14 May to my hon. Friend the Member for Congleton (Mrs. Winterton). This was placed in the Library following the reply I gave the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 25 June, columns *85–6*.

Hospital Wards

Mr. Barron: To ask the Secretary of State for Health (1) what are the minimum requirements for the amount of space surrounding a bed in an NHS hospital ward; and what weight is given, when setting such requirements, to evidence on *(a)* the avoidance of cross-infection, *(b)* the ability to provide effective bedside diagnosis and treatment, and *(c)* the need for confidential discussions between patient and carer; [34761]

(2) what guidelines exist to govern *(a)* the minimum provision of facilities and *(b)* the amount of space surrounding beds in NHS hospital wards; who enforces such guidelines; and what data he collects on adherence to such guidelines; [34763]

(3) what are the minimum requirements for provision within NHS hospital wards to ensure adequate *(a)* toilets, *(b)* bathrooms, *(c)* sluice rooms, *(d)* consultation areas, *(e)* treatment areas and *(f)* administration areas. [34766]

Mr. Horam: Guidance on facilities to be provided in different types of hospital wards and recommended bed spaces is detailed in design guidance (health building notes) produced by National Health Service Estates, an executive agency of the Department of Health. The recommended amount of space surrounding a bed varies in accordance with the level of dependency of the patient, from 7.2 sq m in an adult acute ward to 25.5 sq m for a bed in intensive care.

A number of factors are considered in the recommendations, including the nature of bedside activities, the avoidance of cross-infection, the clinical equipment used and the associated ergonomic requirements, as well as patients' privacy.

Rather than proposing minimum requirements, the guidance suggests an appropriate mix of bed areas, sanitary facilities, clinical treatment areas, consultation and office spaces, depending on the nature of the condition of the patient.

It is for NHS trusts to take appropriate advice. Health building notes are intended to give good practice advice and guidance on the briefing and design implications of planning new buildings and of adapting or extending existing buildings. The guidelines are not enforced, and data on adherence to them is not available centrally.

Community Fundholding

Mr. Morgan: To ask the Secretary of State for Health if he will list the number of GPs, GP practices and patients covered by community fundholding as at 1 April 1996; and what proportion each figure is of the total numbers of GPs, practices and patient population. [34760]

Mr. Malone: The information is shown in the table.

	Community	*Percentage of total*
General Practitioners	960	4
Practices	419	5
Patients	1.8 million	4

Sources:

Community fundholding data from regional offices as at 1 April 1996. Data about all GPs from October 1995 GP Census.

Pharmaceutical Price Regulation Scheme

Mr. Barron: To ask the Secretary of State for Health how many companies within the pharmaceutical price regulation scheme received each rate of return; how many exceeded their targets; and how many failed to reach their targets for each of the last three years for which figures are available. [34764]

Mr. Malone: This information is not available for reasons of commercial confidentiality. The Department last month published a first report to Parliament on the pharmaceutical price regulation scheme, which provides an overall assessment of the operation of the scheme. Copies of the report are available in the Library.

FOREIGN AND COMMONWEALTH AFFAIRS

United Nations Secretary-General

Ms Janet Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the candidates who are currently under consideration for the post of Secretary-General of the United Nations. [34566]

Sir Nicholas Bonsor: Dr. Boutros Boutros-Ghali, UN Secretary-General, declared his intention to stand again on 19 June. The one other formally declared candidate is Mr. Nicos Rolandis, Cyprus.

Female Genital Mutilation

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received concerning the ritual practice of female genital mutilation; and if he will make a statement. [34166]

Sir Nicholas Bonsor: We receive occasional correspondence and this subject is also considered by the UN Commission on Human Rights.

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about which countries tolerate female genital mutilation; what discussions he has held with the leaders of such countries regarding it; and if he will make a statement. [34167]

Sir Nicholas Bonsor: The UN special rapporteur on violence against women monitors this practice in accordance with her mandate. At the Commission for Human Rights in April, the United Kingdom co-sponsored a resolution stressing the rapporteur's recommendation that states have a duty to enact and enforce legislation against the perpetrators of acts such as female genital mutilation. There have been no bilateral discussions.

Comprehensive Test Ban Treaty

Mr. Robin Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards Ambassador Ramaker's proposal that a comprehensive test ban treaty should enter into force after five years if 75 states have signed and ratified it. [34753]

Mr. David Davis: Her Majesty's Government's position is that, for it to be a fully effective non-proliferation measure, the comprehensive test ban treaty must have as parties the declared nuclear-weapon states and all other states with a nuclear capability and which are not otherwise prevented from testing by other international agreements to which they are parties. The formula proposed by Ambassador Ramaker on 20 June, but not incorporated into his revised text, does not meet this requirement.

Mr. Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's assessment of the implications for international security of a lengthy delay in the entry into force of a comprehensive test ban treaty. [34754]

Mr. Davis: We believe that the earliest practicable entry into force of the treaty on the basis of universal adherence would best serve the interests of international security.

Mr. Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on whether the 37 states with seismic stations or radionuclide laboratories must sign and ratify a comprehensive nuclear test ban treaty before it enters into force; and what is the reason for this policy. [34755]

Mr. Davis: Her Majesty's Government's position is that, for it to be a fully effective non-proliferation measure, the comprehensive test ban treaty should have as parties the declared nuclear-weapon states and all other states which are not otherwise prevented from testing by other international agreements to which they are parties. The formula referred to in the question, which appears in the chairman's draft text, meets these requirements and is therefore acceptable to the United Kingdom.

Mr. Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs if the verification procedures as outlined in the draft comprehensive test ban treaty will come into effect only once the treaty has entered into force. [34756]

Mr. Davis: Once the treaty has been opened for signature, a preparatory committee will be established in order to make the necessary arrangements for the treaty organisation and the verification regime. This work can be expected to take at least two to three years. These arrangements must be complete before the treaty enters into force. Equally, entry into force is self-evidently necessary before the verification system can be operational.

Mr. Cook: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on allowing a comprehensive test ban treaty to enter into force before India, Pakistan and Israel have signed the treaty; and if he will make a statement. [34757]

Mr. Davis: I refer the right hon. Member to my earlier answer.

Foreign Affairs Council

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on forthcoming business in the Council of the European Union. [34980]

Mr. David Davis: The forthcoming business will be:

SUBJECT: MONTHLY FORECAST OF BUSINESS FOR JULY 1996

1. The following Councils are scheduled:

8 July: ECOFIN

10 July: Social Welfare (Informal)

11 July: Social Welfare (Informal)

11 July: Labour Affairs (Informal)

12 July: Labour Affairs (Informal)

15 July: General Affairs Council

16 July: General Affairs Council

19 July: Environment (Informal)

20 July: Environment (Informal)

22 July: Agriculture

23 July: Agriculture

25 July: Budget

2. The following subjects are likely to be discussed:

8 July: Ecofin Council

Approval of the provisional agenda;

Approval of the list of "A" items;

Presentation of the Irish Presidency's ECOFIN programme: open debate;

Follow up to the Florence European Council;

Examination of the Austrian convergence programme;

Excessive government deficit procedure: recommendations (a vote may be requested on this item;

ELISE (possible item);

New guarantee system for EIB lending to third countries (possible item);

Preparation of structured dialogue with the CEECS;

SEM 2000 interim report by the Commission;

Fight against fraud: Commission's annual report 1995;

Other business.

ECOFIN will be followed by a meeting with CEES at 4.00 pm, and an informal dinner for CEEC Finance Ministers at 7.00 pm, hosted by the Presidency.

10–11 July: Social Welfare Council (informal)

Long-term unemployment.

11–12 July: Labour Affairs Council (informal)

Long-term unemployment.

15–16 July: General Affairs Council

Agenda not yet available.

19–20 July: Environment Council (informal)

Agenda not yet available.

22–23 July: Agriculture Council

Set aside rate for 1997–98

Arable base area flexibility

Price fixing (possible item)

Reform of the fruit and vegetable regime (possible item)

Bananas (possible item)

Plant health: solidarity and responsibility (possible item)

BSE (possible item)

25 July: Budget Council

1997 preliminary draft budget

Animal Welfare

Mr. Morley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the animal welfare issues for which his Department has responsibility. [34305]

Sir Nicholas Bonsor *[holding answer 25 June 1996]:* We have no direct responsibility for animal welfare issues. We closely follow international animal welfare issues and ensure that foreign policy considerations are taken into account in the handling of these issues.

Mr. Morley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* United Kingdom legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility. [34306]

Sir Nicholas Bonsor *[holding answer 25 June 1996]:* None.

Mr. Morley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34307]

Sir Nicholas Bonsor *[holding answer 25 June 1996]:* The environment, science and energy department of the Foreign and Commonwealth Office employs one DS7 (HEO equivalent), one DS9 (EO equivalent) and one AO dealing with animal welfare issues.

Antarctica

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Russian Government about their plans to drill into the freshwater lake lying under the Antarctic ice cap; and if he will make a statement. [34430]

Mr. Ian Taylor: I have been asked to reply.

None.

TRADE AND INDUSTRY

Air Operations International

Mrs. Dunwoody: To ask the President of the Board of Trade when Air Operations International applied for company registration within the United Kingdom; and if it currently holds such registration. [34027]

Mr. Oppenheim: The index of company names held by the Registrar of Companies shows no registration in the name Air Operations International and there is no application currently being processed in that name. Records covering the past 20 years show no indication of a company having used the name Air Operations International.

Airlines (Receivership)

Mrs. Dunwoody: To ask the President of the Board of Trade what action was taken by (i) his Department and (ii) the official receiver as a result of *(a)* Sultan Air, *(b)* Time Air, *(c)* Omega Air and *(d)* Air Operations Europe going into receivership. [34026]

Mr. Oppenheim: After extensive research, it does not appear that companies or firms with any of these names are the subject of receivership or any other insolvency proceedings in the United Kingdom.

Coal Authority Site (Featherstone)

Mr. Trickett: To ask the President of the Board of Trade what directions have been given by his Department pursuant to paragraph 13(1) of schedule 1 to the Coal Industry Act 1994, to the Coal Authority in relation to the authority's efficiency and effectiveness in the disposal of assets, with particular reference to its ownership of a site at Green lane, Featherstone. [33872]

Mr. Page: The Secretary of State has made a determination as to the financial duties of the Coal Authority pursuant to paragraph 13(1) of schedule 1 to the Coal Industry Act 1994. That determination is set out in the authority's annual report and accounts 1994–95,

a copy of which is in the Library of the House. The restored opencast site at Green lane, Featherstone is owned by British Coal.

Mr. Trickett: To ask the President of the Board of Trade what directions have been given by his Department, pursuant to paragraph 14(2) of schedule 1 to the Coal Industry Act 1994, to the Coal Authority in relation to retention of receipts for the financial year 1995–96; what directions he has given in relation to the realisation of further receipts from the disposal of assets for the current financial year; and what directions he has given to expedite the realisation of such receipts from the disposal of such assets as those held by the Coal Authority at Green lane, Featherstone. [33871]

Mr. Richard Page: The Secretary of State has given one direction to the Coal Authority pursuant to paragraph 14(2) of schedule 1 to the Coal Industry Act 1994 concerning the retention of receipts. That direction is set out in the authority's annual report and accounts 1994–95, a copy of which is in the Library of the House. The restored opencast site at Green lane, Featherstone is owned by British Coal.

Offshore Oil and Gas Licensing

Dr. Godman: To ask the President of the Board of Trade if he will list the companies and location of activities which received awards in the 14th round of offshore oil and gas licensing; and if he will make a statement. [34780]

Mr. Page: I refer the hon. Gentleman to the answer given by my right hon. Friend the Minister for Industry and Energy on 14 June 1993, *Official Report*, columns *409–11* in reply to my hon. friend the Member for Edmonton (Dr. Twinn). Information on this topic is also available in the Library of the House.

Manufacturing Industry

Mr. Pearson: To ask the President of the Board of Trade what assessment he has made of the average age of capital stock of machinery in manufacturing industry in the United Kingdom relative to *(a)* the United States of America, *(b)* Japan, *(c)* France and *(d)* Germany. [33413]

Mr. Oppenheim: A paper recently published by the DTI and Cabinet Office, "The UK's Investment Performance Fact and Fallacy", available in the Library of the House, outlines the available evidence on the relative age of the UK's capital stock of machinery. The evidence, from trade surveys and studies of similar plants in different countries, finds UK machinery to be of a similar age to that in other major countries.

Technology Foresight Programme

Mr. Ingram: To ask the President of the Board of Trade what criteria he uses to evaluate the success of the technology foresight programme. [34633]

Mr. Ian Taylor: The aim of the foresight programme is to build partnerships between the science base and industry, with the ultimate objective of using the UK's strengths in science and technology more effectively to increase national wealth and improve the quality of life. In the short and medium term, we are evaluating the success of the programme using a range of intermediate criteria, including: numbers actively involved in the programme; the scale of networking activity generated; the level of industry participation in collaborative projects with the science base addressing foresight priorities; and the number and value of public sector R and D programmes initiated or enhanced in direct response to the foresight recommendations.

Terrorist Damage

Mr. Eastham: To ask the President of the Board of Trade if he will instigate a scheme for payments of compensation by Government for terrorist damage on the British mainland through the Compensation Agency in accordance with the Northern Ireland model. [34661]

Mr. Nelson: No. Insurance to cover damage caused by acts of terrorism is available in Great Britain, with the support of the Government–backed scheme established under the Reinsurance (Acts of Terrorism) Act 1993. Such insurance has not been available in Northern Ireland for many years.

Director General of Fair Trading

Mr. Merchant: To ask the President of the Board of Trade when he intends to publish the report by the Director General of Fair Trading for the year 1995. [35112]

Mr. John M. Taylor: The 22nd annual report by the Director General of Fair Trading has been published today. It covers the period from 1 January 1995 and 31 December 1995. Copies of the report have been laid before Parliament.

Public Limited Companies

Mr. Merchant: To ask the President of the Board of Trade when his Department intends to publish the consultative document, referred to in the recent competitiveness White Paper Three, on the question of whether public limited companies should be required to report details of their payment practice in their accounts. [35114]

Mr. Page: The Government recognise that late payment is a serious problem for small businesses and are committed to tackling it. With the aim of helping to promote a "prompt payment culture", the DTI has been developing proposals on providing more public information about the payment practices of public limited companies.

A consultative document outlining our proposal for extending the Companies Act 1985 payment policy disclosure to cover payment practice as well is being published today. Copies have been placed in the Libraries of the Houses.

The consultative document sets out the method to be followed when reporting payment practice and includes draft regulations, which would be introduced next Session, if supported by the results of the consultation. Comments should be submitted to the company law directorate at the DTI by 27 September.

Radiation Illness

Mr. Clapham: To ask the President of the Board of Trade what was the number of damages claims for

radiation-induced illness settled annually for the past five years in the United Kingdom nuclear industry; what was the average settlement for each of the years; and how many cases were attributable to the Magnox stations and how many to the advanced gas-cooled reactor stations. [34328]

Mr. Eggar: The compensation scheme for radiation-linked diseases is a nuclear industry voluntary scheme for determining compensation due to employees who develop radiation-linked diseases. Since it was introduced in 1982, and up until the end of 1995, compensation payments have been awarded to 63 cases, with almost £3 million in compensation being paid. This is against a total number of claims arising of almost 500.

The employers and unions from the organisations participating in the compensation scheme agreed that, in order to protect the identification of individual claimants, information on successful claims will be provided only for the compensation scheme as a whole. Details on compensation scheme payments are contained in an annual press statement. I am arranging for copies of the 1995 statement to be placed in the Library of the House.

Electronic Batons

Mr. Tony Lloyd: To ask the President of the Board of Trade, pursuant to his answer of 13 June, *Official Report*, column *270*, on electronic batons, what is the title of the marketing research report referred to. [34441]

Mr. Oppenheim *[holding answer 25 June 1996]:* The title of the marketing report referred to in my answers of 28 March, *Official Report*, column *733*, and 13 June, is "Police and Public Security Requirements for Equipment and Services in the Countries of the Arabian Peninsula".

OVERSEAS DEVELOPMENT ADMINISTRATION

Female Genital Mutilation

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial assistance and other forms of aid he has given over the past 10 years to the United Nations agencies that are attempting to eliminate female genital mutilation; and if he will make a statement. [34161]

Mr. Hanley: Many of the UN agencies to which we contribute are tackling the problem of female genital mutilation in their programmes but it is not possible to determine what proportion of our contributions have been used specifically for this purpose.

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions in the last 10 years he has provided financial and other assistance, in terms of health education, to countries that have implemented, or are seeking to implement, local campaigns to eliminate female genital mutilation; and if he will make a statement. [34163]

Mr. Hanley: I shall write to the hon. Gentleman as soon as possible.

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with his ministerial colleagues in the context of the EU multilateral aid programme concerning countries that tolerate female genital mutilation; and if he will make a statement. [34164]

Mr. Hanley: There have been no recent discussions between Ministers on this subject in the context of the EU multilateral aid programme. We continue to work closely with other member states to ensure the implementation of the 1995 development council resolution on gender equality.

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) on what occasion in the last 10 years he has refused foreign aid to countries on the grounds that their Governments tolerate female genital mutilation; and if he will make a statement; [34162]

(2) what proposals he has to increase foreign aid to countries that are taking action to eliminate female genital mutilation; and if he will make a statement. [34165]

Mr. Hanley: We believe that the best means to bring the practice of female genital mutilation to an end is to change attitudes: for example, through seedcorn initiatives for reproductive health and women's empowerment programmes. We support measures to this end and continue to express our views in wider dialogue with relevant governments.

Disabled People

Mr. Alfred Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how much Overseas Development Administration funding in 1995–96 was provided specifically for work in developing countries with disabled people. [34382]

Mr. Hanley: Providing assistance to people with disabilities forms an integral part of many of our programmes in developing countries. No central record is kept of grants made.

Mr. Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how much of the money made available to British non-governmental organisations by the Overseas Development Administration in 1995–96 was provided specifically for work in developing countries with disabled people; and if he will make a statement. [34383]

Mr. Hanley: The ODA made available £2,397,419 in 1995–96 to British non-governmental organisations specifically for work with disabled people in developing countries.

The Overseas Development Administration recognises that disabled people are often among the poorest and most vulnerable in society. We aim to assist disabled people to participate in development through a process that creates economic independence and self-help and in which they are involved in the decisions and planning that most closely affect them.

LORD CHANCELLOR'S DEPARTMENT

Halesowen Magistrates Court

Mr. Hawksley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give his approval

for the work to be carried out at Halesowen magistrates court to allow the amalgamation of the Halesowen and Stourbridge bench. [33843]

Mr. Streeter: Yes

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33654]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33655]

Mr. John Evans: To ask the Prime Minister if he will list his official engagements for Thursday 27 June. [33404]

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend the Prime Minister is attending the G7 summit in Lyon.

Unemployment (European Union)

Sir Teddy Taylor: To ask the Prime Minister if he will raise at the next meeting of the European Council the level of unemployment in the EU. [33400]

The Prime Minister: Unemployment was one of the issues discussed at the European Council in Florence. The European Council confirmed the priority attached to tackling unemployment and agreed to carry forward the strategy agreed at the Essen European Council in December 1994, which recognised the primacy of action by member states and recommended a number of lines of action reflecting this Government's approach.

Parliamentary Delegation (OSCE)

Mr. Duncan: To ask the Prime Minister what changes he has made to the United Kingdom delegation to the parliamentary assembly of the Organisation for Security and Co-operation in Europe. [35115]

The Prime Minister: The hon. Member for Inverness, Nairn and Lochaber (Sir Russell Johnston) has been named as a substitute for the Liberal Democrat party.

HOUSE OF COMMONS

Tour Visitors (Access)

Mr. Pike: To ask the Chairman of the Administration Committee what action is planned to improve access to the Palace of Westminster by tour visitors. [34668]

Mr. Michael J. Martin: This is a matter for the Serjeant at Arms. I have asked him to write to my hon. Friend.

Crypt Chapel

Mr. Gordon Prentice: To ask the Chairman of the Administration Committee for what reasons the Crypt chapel is not included in the line of route when it is not in use. [34671]

Mr. Michael J. Martin: The Chapel of St. Mary Undercroft in the Crypt is not suited for visits by Members' parties of up to 16 in number on the line of route due to the restricted access from Westminster Hall and the limited space available. However, parties of visitors up to six in number personally escorted by an hon. Member may be admitted to the chapel from 12.30 pm to the rising of the House on sitting days only.

TRANSPORT

Ferry Safety

Mr. Jacques Arnold: To ask the Secretary of State for Transport what will be the impact of the recent Stockholm agreement on safety standards on ferries operating to and from the United Kingdom. [35121]

Mr. Norris: The Stockholm agreement is a major achievement. It will provide substantial extra protection for those who travel on ro-ro ferries. Ferries operating to and from United Kingdom ports must demonstrate, within a tight time scale, that they meet a stringent basic survivability standard and that they can cope with a considerable amount of water on the car deck.

The requirements of this significant agreement go beyond the worldwide application of the demanding SOLAS 90 standard, as agreed in the International Maritime Organisation last November. Ferries connecting ports in the United Kingdom with neighbouring countries will meet a higher standard for sea-going voyages than will similar vessels operating outside the specified area, as will those on similar UK domestic services.

A list of ferries, showing the dates by which each must meet the new standard, has been published today. Copies of the list have been placed in the Library.

The list shows that about 100 sea-going passenger ro-ro ferries currently serve United Kingdom ports. The majority of these vessels already have such a high survival capability that further limited modification is not required until the latter part of the agreed time scale. This shows the robustness of the ro-ro fleet, which will be fortified yet further by the application of the new standard.

Merchant Shipping Bill

Mr. David Shaw: To ask the Secretary of State for Transport when he expects to publish a draft Merchant Shipping Bill; and if he will make a statement. [35243]

Sir George Young: A draft Merchant Shipping Bill has been published today for consultation, and copies have been placed in the Library of the House.

The draft Bill contains clauses to implement those recommendations in Lord Donaldson's report "Safer Ships, Cleaner Seas", Cm 2560, which the Government accept and which require legislative change.

The draft Bill contains important provisions that will be widely welcomed. Taken with the measures already implemented since the Donaldson report, they represent a significant step forward in protecting the marine environment and raising safety standards.

The most important clauses cover: enabling powers to require ports to prepare waste management plans and to take other measures to improve provision and use of waste reception facilities, and increased fines for illegal discharge of waste all of which were part of the package of measures announced by my noble Friend the Minister for Aviation and Shipping on 24 January; temporary exclusion zones at sea to allow safety zones to be placed around shipping casualties or structures on grounds of safety and/or pollution; widening intervention powers to cover all cases of significant degrees of pollution, not just pollution "on a large scale" as at present; enabling powers to change shipowners for port state control inspections, emergency response measures and standard setting activity; and enabling powers to implement new instruments providing for improved compensation payments to victims of marine pollution.

The draft Bill also proposes a number of minor amendments to merchant shipping legislation.

My Department is also publishing today consultation papers on sub-standard and uninsured ships and on the responsibilities of local authorities and port authorities in oil pollution response. Subject to the outcome of consultation on these papers, further draft clauses will be prepared as appropriate.

Departmental Management Plans

Mr. Jacques Arnold: To ask the Secretary of State for Transport if he will make a statement on his Department's management plans for 1996–97. [35123]

Sir George Young: I have today published the Department of Transport's departmental management and efficiency plan 1996, summary report. This gives details of how my Department will use its administrative resources in 1996–97 and also reports on efficiency achievements and reviews planned. Copies of this document have been placed in the Library.

The "Transport Report 1996", Cm 3206, presented to Parliament in March 1996, set out my Department's expenditure plans for 1996–97 to 1998–99. It is supplemented by the business plans published by each of my Department's executive agencies and placed in the Libraries of both Houses.

Fisheries (Safety)

Mr. Foulkes: To ask the Secretary of State for Transport when he expects the consultation and consideration by the Marine Safety Agency on a code of safety practice for fishing vessels under 12m to be concluded; how he proposes to deal with the recommendations arising from this consideration; what representations he has received about the time taken to consult on and consider this matter; and if he will make a statement. [34794]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to the hon. Member.

Letter from R. M. Bradley to Mr. George Foulkes, dated 27 June 1996:

The Secretary of State for Transport has asked me to reply to your Question about the Marine Safety Agency's proposed Code of Safe Practice for Fishing Vessels under 12m in length.

The technical standards in the Code are almost complete and consultation with the fishing industry on how the Code should be implemented is still underway. The consultation process will encompass the timescale for implementing the Code and the means of applying it. A statement will be made when agreement is reached with the fishing industry.

Search and Rescue

Mr. Byers: To ask the Secretary of State for Transport what assessment has been made of the consequences for safety in the east Shetland basin of the withdrawal by Shell Expo of the Bell 212 helicopter search and rescue facility from the beginning of 1997; and if he will make a statement. [34793]

Mr. Norris: The helicopter referred to has been provided by Shell Expo as an additional service and is not a declared UK search and rescue facility. Search and rescue responsibility is met by the Coastguard helicopter based at Sumburgh. Arrangements exist with Norway for the provision of a SAR helicopter based in the Norwegian sector if it is available. In addition to the declared facilities, Shell has advised that two extra pilots will be on standby overnight at Sumburgh to respond to medical emergencies using its own S61 helicopter.

NATIONAL HERITAGE

National Lottery

Mr. Peter Atkinson: To ask the Secretary of State for National Heritage how much money from the Arts Council lottery funds has been awarded to the *(a)* Queen's hall, Hexham, *(b)* Dovecot arts centre, Stockton and *(c)* the Royal Court theatre, London theatres; and for what specific proposals. [33243]

Mr. Sproat: No award has been made to the Queen's hall, Hexham from the national lottery. The Dovecot arts centre has received an award of £16,000 towards the costs of a feasibility study for the development and extension of its existing premises. There have been two awards to theatres named "Royal Court". The Royal Court Theatre Foundation in Liverpool has received £50,000 towards urgent repairs of the 1930s listed grade II theatre. The Royal Court theatre in London has received £15.8 million towards renovation and development costs. This is the only award to theatres in south-west London.

Mr. Frank Field: To ask the Secretary of State for National Heritage if she will commission regular reports from the Office of the National Lottery on the measures it is taking and has taken to ensure that the lottery draw is conducted honestly. [34371]

Mr. Sproat *[holding answer 25 June 1996]:* I have no plans to commission regular reports from Oflot on the measures that is taking and has taken to ensure that the lottery draw is conducted honestly. The director general is required to report to me each year on the exercising of his function. This report will cover his responsibility to ensure that the lottery is run with all due propriety.

Television Licences

Mr. Devlin: To ask the Secretary of State for National Heritage what additional resources he estimates will accrue to the BBC as a result of the recent decision to charge for television licences in second homes. [34325]

Mr. Sproat: Latest estimates from the BBC indicate that the change in the interpretation of the licensing regulations for second homes may raise around £1 million in additional television licence fee revenue, net of refunds for full, unexpired quarters of the licence term.

Sport (Inner Cities)

Mr. Simon Hughes: To ask the Secretary of State for National Heritage if she will make a statement on the contribution of sport to inner-city life. [34477]

Mr. Sproat: Sport has an important role to play in improving the quality of life for people living in inner-city areas.

In July 1995, the Government published the sports policy statement "Sport: Raising the Game", which detailed plans for improving the opportunities for young people everywhere to take part in sport. A follow-up statement is to be published this summer detailing the action that has been taken over the past 12 months.

In addition, the Sports Council, as the statutory distributor in England of national lottery funds for sport, has established a priority funding initiative aimed at attracting more applications from areas of sporting and social deprivation. Up to 90 per cent. lottery funding is now available for projects from identified urban areas of sporting deprivation. The council will also provide up to 80 per cent. of the capital cost for dual use projects that link schools with their communities and local clubs.

Tobacco Sponsorship

Mr. Barron: To ask the Secretary of State for National Heritage what was the total spent through tobacco sponsorship on *(a)* sport and *(b)* the arts in 1994–1995; and how much has been spent each year since the voluntary agreement came into effect. [34765]

Mr. Sproat: There is no agreement with the Department governing tobacco sponsorship of the arts, and the Department does not hold information on arts sponsorship expenditure by the tobacco industry. The amount spent each year by tobacco companies on sports sponsorship in the UK, up to and including 1994–95, are as follows:

1976–77: £3,226,000
1977–78: £3,349,000
1978–79: £3,679,000
1979–80: £3,813,000
1980–81: £4,720,000
1981–82: £5,474,000
1982–83: £7,193,000
1983–84: £7,314,000
1984–85: £7,349,000
1985–86: £8,252,000
1986–87: £7,699,000
1987–88: £5,911,000
1988–89: £5,329,000
1989–90: £7,253,000
1990–91: £7,630,000
1991–92: £8,981,000
1992–93: £10,403,000
1993–94: £7,576,000
1994–95: £8,062,000

Mr. Barron: To ask the Secretary of State for National Heritage how much has been spent on tobacco sponsorship of *(a)* motor racing, *(b)* snooker, *(c)* darts, *(d)* cricket and *(e)* Rugby League under the terms of the voluntary agreement in each year since 1990. [34762]

Mr. Sproat: Records are not kept of the amount spent on tobacco sponsorship on each individual sport. The voluntary agreement on sponsorship requires tobacco manufacturers to inform the Government of the expenditure incurred in each year on sports sponsorship in the United Kingdom. The amounts since 1990 are as follows:

1990–91: £7,630,000
1991–92: £8,981,000
1992–93: £10,403,000
1993–94: £7,576,000
1994–95: £8,062,000

Home Shopping

Mr. David Shaw: To ask the Secretary of State for National Heritage what further consideration she has given to ensuring that broadcasters have the opportunity to offer home shopping features on analogue terrestrial television. [35201]

Mr. Sproat: Following discussion of this issue during the Committee stage of the Broadcasting Bill, my officials have explored the way forward with home shopping interests and the Independent Television Commission. In the light of those discussions, I believe that we can meet the concerns expressed in Committee by executive action rather than a new clause. I am confident that at its July meeting the ITC will agree to amend its rules on advertising breaks to allow extended home shopping segments in the night hours on terrestrial television channels.

For the future, the ITC has also said that it will review its rules on advertising breaks as a whole in the light of the final outcome of current negotiations for a revised EU directive and the allocation of airtime available to home shopping will form a part of this review. Should home shopping become established on the terrestrial channels within existing airtime allocations for advertising on these channels, the experience accumulated will also be relevant to decisions about how policy might evolve in the future, and the possibility of further change to ITC rules is not excluded.

Millennium Exhibition

Mr. Corbett: To ask the Secretary of State for National Heritage if she will list the financial commitments made on behalf of the Government and by the Millennium Commission in connection with the capital costs of the millennium exhibition, separately identifying arrangements covering financial risk by private sector partners. [34438]

Mr. Sproat *[holding answer 25 June 1996]:* No financial commitments have been made on behalf of the Government in connection with the capital costs of the millennium exhibition. The Millennium Commission is prepared to award a grant of up to £200 million. The involvement of the private sector is under negotiation.

Lottery Awards (North-East Derbyshire)

Mr. Barnes: To ask the Secretary of State for National Heritage if she will list the grants awarded from the national lottery fund to sporting organisations in North-East Derbyshire. [34092]

Mr. Sproat *[holding answer 26 June 1996]:* There have, to date, been no awards made to sporting organisations in North-East Derbyshire. Derbyshire as a whole, however, has benefited from 19 awards to sports organisations, totalling £1,588,294.

WALES

Prescribing Costs

Mr. Morgan: To ask the Secretary of State for Wales if he will provide figures for prescribing costs for each of the years 1990–91 to 1995–96, for general practices, set out as *(a)* continuing non-fundholders, *(b)* first wave fundholders, *(c)* second wave fundholders, *(d)* third wave fundholders, *(e)* fourth wave fundholders and *(f)* fifth wave fundholders. [34323]

Mr. Hague: Information is not held in the form requested. Prescribing costs for fundholders and non-fundholders for 1994–95 and 1995–96 are as follows:

Expenditure (£000s)

	1994–95	*1995–96*
Fundholders	72,573.594	93,830.025
Non-fundholders	172,273.066	169,708.742

Higher Education Expenditure

Mr. Dafis: To ask the Secretary of State for Wales what has been the public expenditure on higher education in Wales, excluding public expenditure on student maintenance, both in cash terms and in real terms, and expressed as a percentage of *(a)* estimated Welsh gross domestic product and *(b)* estimated United Kingdom gross domestic product for each financial year since 1989–90; and what is planned for (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [34317]

Mr. Jonathan Evans: I refer the hon. Member to the reply that I gave him on Wednesday 26 June 1996, columns *154–55*.

School Leavers

Mr. Rowlands: To ask the Secretary of State for Wales what proportion of school leavers went directly into work in the last year without training *(a)* in Wales and *(b)* in each TEC area. [34278]

Mr. Jonathan Evans: The precise information requested is not available. Twelve per cent. of pupils leaving school in Wales in summer 1994 were in full-time employment at September 1994.

GCSE

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the GCSE average point scores for *(a)* each twentieth group and *(b)* the cumulative twentieth groups of 15-year-old pupils ranked according to their average point scores for (i) 1993 and (ii) 1994 in respect of (1) all pupils, (2) pupils in the grant-maintained sector, (3) pupils in the independent sector and (4) pupils in the local education authority maintained sector, giving the numbers of each group of the whole cohort in each case. [33394]

Mr. Jonathan Evans: The information requested is not readily available and could be provided only at disproportionate cost.

Ambulance Policy and Advisory Group

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 24 June, *Official Report*, column *50*, if he will list the dates of the meetings subsequent to 16 January 1995 of the Welsh ambulance policy and advisory group attended by his officials; and what were the main subjects discussed. [34785]

Mr. Hague: The dates of meetings of the Welsh ambulance policy advisory group attended by my officials are:

16 January 1995
5 April 1995
28 July 1995
15 September 1995
6 October 1995
17 November 1995
16 February 1996
1 April 1996
14 June 1996

Discussions covered a wide range of ambulance operational and policy issues.

Welsh Office Publications List

Mr. Wigley: To ask the Secretary of State for Wales if he will arrange to place future issues of the Welsh Office publications list in the Vote Office. [34401]

Mr. Hague: Future issues of the annual Welsh Office publications list will be placed in the Library of the House.

Employment Service

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the Employment Service office in Mold road, Buckley, Flintshire. [34747]

Mr. Gwilym Jones: My right hon. Friend the Secretary of State for Wales has no plans to visit the Employment Services office in Mold road, Buckley at the present time.

Mr. Jones: To ask the Secretary of State for Wales (1) if he will make it his policy to keep open the Employment Service office in Mold road, Buckley, Flintshire; [34748]

(2) how many Employment Service offices in Wales have been closed since 1992. [34749]

Mr. Gwilym Jones: Responsibility for the Employment Service in Wales rests with my right hon. Friend the Secretary of State for Education and Employment.

Mr. Jones: To ask the Secretary of State for Wales if he will meet *(a)* Buckley town council and *(b)* Flintshire county council to discuss the proposed closure of the Buckley Employment Service offices. [34750]

Mr. Jones: No. Responsibility for the Employment Service in Wales rests with my right hon. Friend the Secretary of State for Education and Employment.

Wheelchairs

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March, *Official Report*, column *169*, if he will make a statement about his plans for Wales with regard to powered wheelchairs and financial aid for wheelchairs. [34751]

Mr. Hague: Discussions on the future provision of wheelchair services in Wales are continuing. Decisions will be taken when detailed advice is available and has been fully assessed.

GP Fundholding

Mr. Morgan: To ask the Secretary of State for Wales if he will list the number of general practitioner practices in Wales as at 1 April 1996, which were *(a)* total fundholding, *(b)* conventional fundholdings and *(c)* community fundholding; how many patients in total were covered by each category of GP; and what proportion this represented of the total patient population. [34767]

Mr. Hague: As at 1 April 1996, in Wales, there were:

(a) Four Total Purchasing Pilot Projects involving 14 practices[1] with a combined list of 130,251 (4.44 per cent. of the population);

(b) 197 Standard Fundholding practices with a combined list of 1,424,535 (48.54 per cent. of the population); and

(c) 13 community Fundholding practices with a combined list of 39,876 (1.4 per cent. of the population).

[1] These practices are included in, not additional to, those in sub-para b).

South East Wales Ambulance Trust

Mr. Morgan: To ask the Secretary of State for Wales what consultation he has had with the chairman of the South East Wales ambulance trust concerning his financial accounting proposals relating to those partially built Mercedes Benz Lifestal ambulances which have been paid for but will not be completed for trust use. [34759]

Mr. Hague: None; this is currently an operational matter for the trust.

ENVIRONMENT

Council House Sales

Mr. Cox: To ask the Secretary of State for the Environment what has been the total number of houses or flats sold by each of the London borough authorities since 1980. [33706]

Mr. Clappison: Information on sales of council houses and flats reported by each English local authority for financial years from 1979–80 and a cumulative total of sales to the end of December 1995 is available in the Library.

Clinical Waste

Dr. Godman: To ask the Secretary of State for the Environment (1) which countries export clinical and medical waste to England and Wales for high temperature incineration; and if he will make a statement. [34036]

(2) what recent discussions have taken place with the Irish Department of Health concerning the export of medical and clinical waste to England and Wales; and if he will make a statement; [34038]

(3) what plans he has to modify the regulations governing the importation of medical and clinical waste; and if he will make a statement; [34039]

(4) if he will list the names and locations of those companies in England and Wales which are licensed to import medical and clinical waste for high temperature incineration; and if he will make a statement. [34037]

Mr. Clappison: The Government's policies on exports and imports of waste from and to the United Kingdom are contained in the United Kingdom management plan for exports and imports of waste which was published on 16 May 1996. The plan has legal effect, and came into force on 1 June 1996.

The Government's policy proposals for waste exports and imports were initially outlined in a statement by the then Minister for the Environment and Countryside, my right hon. Friend the Member for South Ribble (Mr. Atkins) on 15 June 1994. The Department consulted on its proposals, in the form of a draft plan, during February and March 1995; the European Commission and other EC member states, including the Republic of Ireland, were also consulted at this time.

Under the plan, imports of waste for disposal are generally banned, in line with the principle of self-sufficiency in the disposal of waste. However, exceptions to this policy occur in cases of emergency, or where the exporting country does not have, and cannot reasonably acquire, suitable disposal facilities of its own.

Representations were received from the Irish Government, to the effect that they produce certain hazardous wastes in sufficiently small quantities overall per year that the provision of new specialised disposal facilities in Ireland would be uneconomic. As a result of these representations, the Government decided to exclude the Republic of Ireland from the phase-out of imports of waste from other EC member states for high temperature incineration at facilities capable of operating at temperatures in excess of 1100 deg C. Thus, Irish waste destined for high temperature incineration, including some categories of clinical waste, will continue to be allowed access to UK facilities. Imports from the Irish Republic of clinical or other waste destined for low temperature incineration, however, are not permitted under the plan.

In 1994–95, the latest year for which figures are available, the following European countries exported hazardous wastes to the United Kingdom for high

temperature incineration: Belgium, France, Germany, Greece, Ireland, Italy, Netherlands, Portugal and Spain. Wastes were also imported for high temperature incineration from Brazil, Chile, Mexico, Mozambique, Norway, Thailand, Turkey and Venezuela. Data are not available on the origin of these wastes by economic sector-clinical, medical, industrial, and so on.

There are four sites in England and Wales which are licensed as high temperature incinerators as defined in the plan; these are listed:

Rechem International Ltd.: Pontypool

Rechem International Ltd.: Southampton

Cleanaway Ltd.: Ellesmere Port

Leigh Environmental Ltd. Killamarsh.

We have no plans at present to modify the regulations governing the importation of medical and clinical waste into the United Kingdom. However, the question of clinical waste imports has recently been raised informally with my right hon. Friend the Secretary of State for Health by the Irish Minister for Health. As a result, we understand that the Irish Government are considering making a formal request for a temporary dispensation to continue imports of clinical waste for low temperature incineration. We will consider any such request on its merits.

Mercury (Disposal)

Mr. Sheerman: To ask the Secretary of State for the Environment what progress he has made in persuading the lighting industry to take greater responsibility for the safe disposal of mercury. [33866]

Mr. Clappison: I refer the hon. Member to the answer I gave on Monday 22 April 1996, *Official Report*, column *1*. I have no further information to add.

Contaminated Waste (Disposal)

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will list the proposals and sites currently under consideration for the dispersal of contaminated waste. [33842]

Mr. Clappison: Applications for waste management licences are made to the Environment Agency. The agency is required to maintain a public register of licence applications made to it and of licences which it has granted. Whether a particular site would take contaminated waste would depend on the terms of the licence granted by the agency.

Environmental Standards (Job Creation)

Mr. Martyn Jones: To ask the Secretary of State for the Environment what assessment he has made of the number of jobs likely to be created by higher environmental standards announced in the last year; and if he will make a statement. [33907]

Mr. Clappison: The effect of higher environmental standards on competitiveness and jobs is complex and depends on a number of factors, including the design and implementation of each particular standard. Chapter 7 of the third competitiveness White Paper, which was recently published by the Government, outlines some of the issues.

Parapox Virus

Mr. Barry Field: To ask the Secretary of State for the Environment what research he has *(a)* commissioned and *(b)* evaluated into the spread of parapox and its effect on the red squirrel population. [33853]

Mr. Clappison: No research into the parapox virus has been commissioned by my Department.

I am aware of work being undertaken by the Institute of Zoology in identifying the virus in red squirrels and understand that the institute is working in association with wildlife trusts under the north-west red alert scheme, which enables a number of trusts in the north-west of England to collect red squirrel carcases. We will continue to follow this work with interest and await its outcome, together with any recommendations that are forthcoming.

Home Energy Efficiency Scheme

Ms Walley: To ask the Secretary of State for the Environment what account he took of the unit costs for *(a)* cavity wall insulation and *(b)* heating system upgrade as set out in the home energy efficiency scheme proposals for change when setting the current HEES budget; and if he will make a statement. [34242]

Mr. Clappison: The two measures mentioned by the hon. Member are not presently provided under the home energy efficiency scheme. Their costs were not, therefore, relevant factors in determining the current level of funding. The Government are consulting on possible alterations to HEES, and will consider whether any changes are desirable in the light of that consultation.

Business Rates

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is the responsibility of *(a)* the local authorities and *(b)* the Valuation Office in ensuring that the correct rateable reference is used to calculate the liability of individual businesses for business rates. [34482]

Sir Paul Beresford: Valuation officers, who are employed by the Valuation Office agency, are responsible for compiling and then maintaining an accurate non-domestic rating list for each billing authority in the country. Local authorities are required to inform the valuation officer for their area of any information which suggests that a list requires alteration.

Building Inspectors

Mr. Vaz: To ask the Secretary of State for the Environment how he plans to monitor the performance of approved inspectors appointed under the provisions of the Building Act 1984. [34366]

Mr. Clappison: As with local authority building control, the Department conducts no formal monitoring of the performance of approved inspectors.

Mr. Vaz: To ask the Secretary of State for the Environment if he plans to allow new approved inspectors appointed under the provisions of the Building Act 1984 to compete in the new house building sector. [34368]

Mr. Clappison: The existing approved inspector—NHBC Building Control Services Ltd.—has in place, as a statutory requirement, a scheme of insurance which has

been approved by the Secretary of State for building control work in relation to dwellings. An applicant for approved inspector status who has a similar scheme of insurance approved by the Secretary of State will, subject to demonstrating technical competence and being awarded approved inspector status, be allowed to operate as an approved inspector in the new house building sector.

Mr. Vaz: To ask the Secretary of State for the Environment when he expects to appoint further corporate approved inspectors under the provisions of the Building Act 1984. [34365]

Mr. Clappison: The appointment of further corporate approved inspectors is expected by late summer.

Mr. Vaz: To ask the Secretary of State for the Environment what period of authorisation he intends to adopt for the appointment of new approved inspectors under the provisions of the Building Act 1984 prior to a review of their appointment. [34367]

Mr. Clappison: Under the provisions of the Building (Approved Inspectors etc.) Regulations 1985, an approval by the Secretary of State of a corporate approved inspector remains extant until withdrawn. The appointments are not subject to periodic review.

Mr. Vaz: To ask the Secretary of State for the Environment what plans he has to apply to new approved inspectors appointed under the provisions of the Building Act 1984 the same regime of departmental authorisation and performance monitoring as that applied to NHBC Building Control Services Ltd. [34369]

Mr. Clappison: Under the provisions of the Building (Approved Inspectors etc.) Regulations 1985, corporate approved inspectors such as NHBC Building Control Services Ltd. are approved by the Secretary of State. There is no regime of departmental authorisation beyond the approval process. As with local authority building control, the Department conducts no formal monitoring of the performance of approved inspectors.

Building Regulations

Mr. Vaz: To ask the Secretary of State for the Environment if he will make a statement in response to the representations by the Deregulation Committee about the transfer of costs from the private sector to local authorities and the completeness of his Department's consultation in relation to the Deregulation (Building) (Initial Notices and Final Certificates) Order 1996. [34370]

Mr. Clappison: In the 14th report of the Deregulation Committee, it was noted that the transfer of costs to local authorities that would be incurred by the Deregulation (Building) (Initial Notices and Final Certificates) Order 1996, if enacted, may not be as significant as first appeared. On this basis, the Committee indicated its willingness to accept the transfer in this case. It did, however, raise the issue of whether in principle it is acceptable to transfer costs from the private sector to local authorities as a result of deregulation orders, which is an issue that should not be addressed by my Department in isolation.

The comments of the Committee on the completeness of the consultation have been noted, and will be addressed should the occasion arise again. However, the Committee reported that the flaws in the consultation would have no harmful effect because the proposed changes would not undermine necessary protection.

Government Regional Policy

Mr. Vaz: To ask the Secretary of State for the Environment if he will make a statement on the roles of the Minister for Local Government, Housing and Urban Regeneration as *(a)* central co-ordinator of Government policy towards the south-west and *(b)* regeneration sponsor Minister for Leeds, Bradford, Batley and the Thames gateway. [34362]

Sir Paul Beresford: The Prime Minister has asked the Minister for Local Government, Housing and Urban Regeneration to act as central co-ordinator of Government policy towards the south-west. Working with colleagues in the relevant Government Departments, the Minister is taking a close interest in the broad issues affecting the whole of the south-west, but is focusing particularly on the concerns and interests of the counties of Devon and Cornwall.

The Minister is continuing to discharge his responsibilities as regeneration sponsor Minister for Leeds, Bradford, Batley and the Thames gateway. His role is to support and promote Government regeneration initiatives through contact with civic and business leaders and other local interests; to act as a channel for communicating local concerns to ministerial colleagues; and to share with sponsor Minister and other colleagues experience and ideas relevant to regeneration.

Mr. Vaz: To ask the Secretary of State for the Environment what instructions or guidance have been given to the regional director of the Government office for the south-west on the implications of the appointment of the Minister for Local Government, Housing and Urban Regeneration as central co-ordinator of Government policy towards the south-west and the way in which the Government office should relate to him. [34364]

Sir Paul Beresford: The appointment of the Minister for Local Government, Housing and Urban Regeneration as a central co-ordinator of Government policy towards the south-west does not change the accountability of officials in the Government office for the south-west to Ministers in the four Departments of which they are part.

Mr. Vaz: To ask the Secretary of State for the Environment if he will publish the terms of reference given to the Minister for Local Government, Housing and Urban Regeneration in his capacity as a central co-ordinator of Government policy towards the south-west. [34361]

Sir Paul Beresford: The Prime Minister has asked the Minister for Local Government, Housing and Urban Regeneration to act as a central co-ordinator of Government policy towards the south-west. The Minister will be working with colleagues in the relevant Departments looking at the broad issues affecting the whole of the south-west, and focusing particularly on the concerns and interests of the counties of Devon and Cornwall.

Domestic Waste

Mr. Martyn Jones: To ask the Secretary of State for the Environment what estimate he has made of the average calorific value of domestic waste per cubic metre and the subsequent average reduction in this estimated value after the removal of recyclable components; and if he will make a statement. [34344]

Mr. Clappison: The composition and density of household waste varies significantly between households, and so it is not possible to give a meaningful average calorific value of domestic waste per cubic metre. Typical calorific values fall in the range of 9.5 to 11 megajoules per kilogram.

A summary report[1] of research carried out by AEA Technology entitled *"The Impact of Recycling Household Waste on Downstream Energy Recovery Systems"*, which was published in June 1995, concluded that all of the various source separation options for recyclable materials which were considered increased—rather than decreased—the calorific value in megajoules per kilogram of the waste feedstock. However, they also reduced in total the amount of energy that might be recovered from a given amount of waste. The report therefore concluded that the introduction of source separation schemes for recycling household waste does not prejudice energy recovery from the residual waste.

[1] Available from the Renewable Energies Bureau, ETSU, Harwell, Didcot, Oxfordshire 0X11 0RA, Tel 01235 432450, reference number B/RR/00286/REP.

Regeneration

Mr. Vaz: To ask the Secretary of State for the Environment if he will publish the terms of reference given to regeneration sponsor Ministers listed in figure 32 of the Department of the Environment's annual report for 1996. [34363]

Sir Paul Beresford: The role of sponsor Ministers is to support and promote Government regeneration initiatives in their area through contact with civic and business leaders and other local interests; to act as a channel for communicating the local concerns of their area to ministerial colleagues; and to share with sponsor Minister and other colleagues experience and ideas relevant to regeneration.

Local Government Ombudsman

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the circumstances under which the local government ombudsman considers cases referred more than 12 months from the day when the complainant first thought that maladministration was occurring; and what plans he has to introduce legislation to record such circumstances in law. [34498]

Sir Paul Beresford: Under section 26(4) of the Local Government Act 1974, the local government ombudsman may conduct an investigation into a complaint outside the 12-month period if he considers it reasonable to do so. In any such case, it is for the ombudsman to decide on the facts of that individual case whether it would be right to exercise his power to investigate. The local government ombudsman's current arrangements for handling complaints are being considered as part of the second stage of the review, which was announced on 12 February 1996 by my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration, *Official Report*, column *402*.

Mr. Field: To ask the Secretary of State for the Environment how many cases the local government ombudsman has handled in each year of his existence. [34500]

Sir Paul Beresford: The number of cases handled by the three offices of the local government ombudsman service in England is as follows:

Year	*Complaints received*	*Complaints determined*
1974–75	473	355
1975–76	2,249	1,916
1976–77	2,277	1,930
1977–78	2,464	1,519
1978–79	2,116	2,031
1979–80	2,181	2,105
1980–81	2,434	2,303
1981–82	2,706	2,501
1982–83	2,743	2,763
1983–84	3,034	3,019
1984–85	3,389	3,284
1985–86	3,502	3,134
1986–87	4,059	3,853
1987–88	4,229	4,158
1988–89	7,055	5,961
1989–90	8,733	7,290
1990–91	9,169	9,104
1991–92	12,123	10,713
1992–93	13,307	14,057
1993–94	14,253	13,718
1994–95	15,525	15,140
1995–96	15,226	16,344

Mr. Field: To ask the Secretary of State for the Environment if he will place in the Library a copy of recent assessments made of the performance and level of service of the local government ombudsman. [34502]

Sir Paul Beresford: As announced by my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration on 12 February 1996, *Official Report*, columns *402-03*, the second stage of a review of the local government ombudsman service is currently in progress. Copies of the report on the first stage of the review, which examined the need for an independent system for the investigation of complaints, were placed in the Library of the House on that date. The second stage will focus particularly on the efficiency and effectiveness of the local government ombudsman service as an investigatory body.

Mr. Field: To ask the Secretary of State for the Environment how many complaints he has received regarding the local government ombudsman office's handling of cases in each year since the office was established. [34499]

Sir Paul Beresford: Detailed records of this information are not kept by my Department. As announced by my right hon. Friend the Minister for Local Government, Housing and Urban Regeneration on 26 June 1995, *Official Report*, column *534*, we have received more than 200 written representations expressing some dissatisfaction about the operation of the local government ombudsman service since 1 January 1994.

Mr. Field: To ask the Secretary of State for the Environment how many staff are currently employed at the local government ombudsman's office. [34501]

Sir Paul Beresford: At 1 June 1996, 213 staff were employed by the three offices of the local government ombudsman service in England.

Mr. Field: To ask the Secretary of State for the Environment what is the current budget allocation for the running of the local government ombudsman's office; and if he intends to review its funding. [34503]

Sir Paul Beresford: The local government ombudsman service is funded by a grant made annually by my Department from the revenue support grant. The grant for 1996–97 is £6.7 million, in addition to which a further £600,000 is available to the service from its own resources—reserves and income earned. The funding of the local government ombudsman service is currently being considered as part of the review which was announced on 12 February 1996 by my right hon. Friend the Minister for Local Government, Housing, and Urban Regeneration, *Official Report*, columns *402-03*.

Green Ministers

Ms Ruddock: To ask the Secretary of State for the Environment if he will publish summaries of the discussions and actions agreed upon following the meetings of Green Ministers. [34573]

Mr. Clappison: Green Ministers decided not to publish summaries of their discussions but agreed to publish a list of contact addresses in each Government Department where inquiries on green issues could be directed. A copy of the list is in the House Library. They also agreed to publish a series of case studies which show what measures Departments have taken to ensure that environmental considerations are taken into account in policies and programmes.

Ms Ruddock: To ask the Secretary of State for the Environment when the next meeting of Green Ministers is planned; and what will be on the agenda. [34574]

Mr. Clappison: The next meeting of Green Ministers will take place later in the summer. The agenda has not yet been drawn up.

Ms Ruddock: To ask the Secretary of State for the Environment which Government Departments were present at the last meeting of the Green Ministers; and which were represented by a Minister. [34575]

Mr. Clappison: All Green Ministers attended or were represented at their last meeting.

"Policy Appraisal and the Environment"

Ms Ruddock: To ask the Secretary of State for the Environment how many staff are employed within his Department with responsibility for ensuring that "Policy Appraisal and the Environment" is used by all Government Departments. [34576]

Mr. Clappison: It is for individual Government Departments to ensure that "Policy Appraisal and the Environment" is used within their Departments. Within my Department, no staff have exclusive responsibility for this task.

Ms Ruddock: To ask the Secretary of State for the Environment what guidance has been issued to the Government regional offices to ensure "Policy Appraisal and the Environment" is used in decision making at regional level; and if he will place a copy of that guidance in the Library. [34577]

Mr. Clappison: All Government Departments were advised to use "Policy Appraisal and the Environment" when it was published in 1991. Copies were distributed widely within the Department of the Environment, including the regional offices.

Ms Ruddock: To ask the Secretary of State for the Environment what monitoring is *(a)* currently undertaken and *(b)* planned of the use of "Policy Appraisal and the Environment" by Government Departments and Government regional offices. [34578]

Mr. Clappison: No monitoring has been undertaken, but the Department is about to appoint consultants who will evaluate the degree to which "Policy Appraisal and the Environment" has been used by Government Departments, and will make recommendations as to how the integration of environmental considerations into policy making in government can be reinforced.

Local Government Commission

Mr. Merchant: To ask the Secretary of State for the Environment if he will announce the name of the new chairman of the Local Government Commission for England. [35270]

Mr. Curry: Professor Malcolm Grant, the current deputy chairman of the Local Government Commission for England, has been appointed chairman of the commission with effect from 1 July 1996 when Sir David Cooksey's term of appointment is completed. To retain the current membership of seven commissioners a new member has been appointed, Mr. Robin Gray, who takes up post on the same day.

Hedgerows

Ms Ruddock: To ask the Secretary of State for the Environment when the Government expect to publish the draft Hedgerow Protection Regulations for consultation; and if the Government propose to introduce the hedgerow protection scheme by July. [34572]

Mr. Clappison: Section 97 of the Environment Act 1995 requires that hedgerow protection regulations are subject to consultation and approval by both Houses under the affirmative resolution procedure before they can come into effect. We expect to publish the draft regulations for consultation later in the summer, with the aim of laying the regulations in Parliament by the end of the year.

Purchase Grant Scheme

Mr. Jopling: To ask the Secretary of State for the Environment when he intends to consult on detailed proposals covering the remaining counties of England to exempt small rural settlements from the purchase grant scheme; and if he will make a statement. [35271]

Mr. Curry: In March, we issued a consultation paper on how we propose to exempt small rural settlements in England from the new purchase grant scheme. The paper set out the way we propose to implement the designation in England, and invited comments on our general approach, and on the detailed proposals for the first 15 counties and areas. In May, we issued a consultation paper that covered a further 15 counties. Comments were sought from local authorities, housing associations, rural groups and other interested parties.

We have today issued a supplement to those papers, which gives detailed proposals for the final 15 counties: Norfolk, North Yorkshire, Northamptonshire, Northumberland, Nottinghamshire, Somerset, South Yorkshire, Staffordshire, Surrey, Suffolk, Tyne and Wear, Warwickshire, West Midlands, West Sussex, West Yorkshire.

Copies of the consultation paper have been placed in the Libraries of both Houses. Copies of papers for each individual county or area, including copies of any maps needed, have also been placed in both Libraries.

Housing Investment Trusts

Mr. Merchant: To ask the Secretary of State for the Environment if he will ensure that housing investment trusts can benefit from the same accounting rules as other investment trusts under the Companies Act 1985. [35272]

Mr. Curry: The Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Amber Valley (Mr. Oppenheim), has agreed, in principle, to extend the definition of investment companies in section 266 of the Companies Act 1985 to cover properties of the type to be held by housing investment trusts so that the same reliefs are available to those companies. As there is a need to consult on any proposal to amend the Companies Act, and to ensure that wider accounting treatment issues are considered thoroughly, it is unlikely the necessary amendment could be introduced this year. We would expect the required order to be laid before the House early in the new year.

Animal Welfare

Mr. Morley: To ask the Secretary of State for the Environment (1) if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues; [34301]

(2) if he will list *(a)* United Kingdom legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility; [34300]

(3) if he will list the animal welfare issues for which his Department has responsibility. [34299]

Mr. Clappison *[holding answer 25 June 1996]:* The animal welfare issues for which my Department are responsible include zoos, the keeping of dangerous wild animals, the ban on the use of certain methods of killing or taking of birds and wild animals, leghold traps and some aspects of the transport of endangered species.

These issues are covered by the Zoo Licensing Act 1981, the Dangerous Wild Animal Act 1976, the Wildlife and Countryside Act 1981 and the EC Leghold Trap Regulation 1991 (EC No. 3254/91 and EC No. 1771/94). Provisions on accommodation and handling during the transport of endangered species are reflected in existing EC regulations (EC No. 3626/82 and 3418/83) which govern the implementation of the convention on international trade in endangered species of wild fauna and flora.

The wildlife and countryside directorate is responsible for animal welfare issues among its other duties. The grades and approximate number of the directorate's staff involved are:

Director (Grade 3): less than 1 full-time equivalent

Assistant Secretary (G5): less than 1

Principal (G7): less than 1

Higher Executive Officer: 1

Executive Officer: 1–2

Administrative Officer: Assistant: 1–2.

EDUCATION AND EMPLOYMENT

Employment Department Offices

Mr. Alan Williams: To ask the Secretary of State for Education and Employment how much was spent on Employment Department office refurbishment in Swansea before its sale; and what were the sale proceeds. [34483]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Alan Williams, dated 26 June 1996:

The Secretary of State has asked me to reply to your question about the cost of the Employment Department office refurbishment in Swansea.

The refurbishment of one of my offices in Swansea started in February 1994. The work was essential for the following reasons;

(i) to meet our organisational requirements at that time in order to efficiently deal with the needs of the business;

(ii) to fulfil our lease obligations to maintain the standard of our estates responsibilities ie redecoration and maintenance/upgrade of the heating system;

(iii) to meet health and safety requirements by upgrading light levels to ensure compliance with the Health at Work Act.

Subsequent to these alterations taking place our operational requirements changed and, in order to meet these and to continue to improve the delivery of services to our clients, the decision was taken to fully integrate the functions undertaken at Grove House with those at my other Jobcentre in High Street.

Although the premises have not been open to the public since September 1995, the Employment Service has continued to use the premises for its business and will do so until the lease break at the end of June 1996.

By maintaining the standard of the office, the refurbishment will greatly offset any dilapidation claim the landlord may have against us at the end of our tenure in June.

There were no sale proceeds as the building is leasehold, not freehold. Disposal of our lease in June will realise savings of £42,500 rent and £20,000 rates per annum to the ES. Additional running cost savings of £10,500 per annum in respect of fuel, utilities etc, will also be achieved.

I hope this is helpful.

Employment Service

Mr. Barry Jones: To ask the Secretary of State for Education and Employment (1) how many callers and inquiries have been handled at the Buckley Employment Service premises in *(a)* 1994 and *(b)* 1995; [34728]

(2) if she will review her decision to close the Employment Service premises in Buckley, Flintshire; [34730]

(3) if she will visit the Employment Service premises in Buckley, Flintshire; [34727]

(4) if she will meet the *(a)* Flintshire county council and *(b)* Buckley town council to discuss the future of the Employment Services premises in Buckley, Flintshire; [34729]

(5) how many Employment Service premises have been closed since 1992; and if she will make a statement. [34731]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Robert Horne to Mr. Barry Jones, dated 27 June 1996:

The Secretary of State has asked me, in the absence of the Chief Executive, to reply to your questions concerning the closure of the Buckley Jobcentre, Flintshire later this year.

In response to your question about the number of callers and enquiries that have been handled at the Buckley Employment Service (ES) premises in 1994 and 1995, I am unable to provide the precise information you ask for. Jobcentres are not required to collect this information as a matter of course, however the following information does provide a good indication of regular callers at Buckley:

The number of clients claiming benefit and signing each week averaged 300 per week for 1994 and 270 per week for 1995.

The number of job submissions each week averaged 156 per week for 1994 and 170 per week for 1995. (These figures are not necessarily in addition to the number of clients signing as many would be submitted to job vacancies on their signing day.)

Since 1992, ES has closed 37 offices nationally.

The ES always keeps its operations under review and the decision to close Buckley Jobcentre was not taken lightly. Buckley is a small town 2½ miles from Mold. Mold ESJ offers clients the full range of ES services. There is a regular bus service every 15 minutes between Buckley and Mold and other ESJs within easy reach are Wrexham (12 miles) and Shotton (6 miles). The ES can do more to help its clients through its larger offices which offer the full range of ES services than small offices which offer only a limited service. Office closures are also linked to the ES programme to bring Jobcentre and Benefit Services together under one roof, a policy now required by the ES' role in the delivery of the Jobseekers' Allowance.

In respect of your request that the Secretary of State visits the ES premises at Buckley and meets Flintshire County Council and Buckley Town Council, perhaps the most appropriate course of action would be for the District Manager, Ted Pinch and the Director for Wales, Bernard Pearce, to meet with you to discuss Employment Service provision in Buckley and Flintshire. Should you wish to contact Ted Pinch, his telephone number is 01978 203500 and Bernard Pearce can be contacted on 01222 380705.

I hope this is helpful.

All-work Tests

Mr. Alan Howard: To ask the Secretary of State for Education and Employment (1) what is the administration cost per claimant of referrals to adjudication where a doubt has arisen about availability for work, actively seeking work, or willingness to accept work; [34788]

(2) how many adjudication decisions have been made on questions of availability for work, actively seeking work and willingness to accept work, where the adjudication officer considered claims related to the application of the student regulation for part-time study; [34786]

(3) how many adjudication decisions have been made on questions of availability for work, actively seeking work and willingness to accept work, where doubts have arisen *(a)* from the student questionnaire "People Attending Training and Further Education Courses", *(b)* as a result of voluntary activity and *(c)* as a result of part-time employment. [34787]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Robert Horne to Mr. Alan Howarth, dated 27 June 1996:

The Secretary of State has asked me, in the absence of the Chief Executive, to reply to your questions about adjudication decisions relating to unemployed people who are undertaking courses of training or further education, doing voluntary work or who are in part time employment.

Unfortunately, information is not available in the form you have requested.

Information about the number of adjudication officer decisions and opinions, is contained in a published document entitled "Analysis of Adjudication Officers' Decisions". This provides information on all the main entitlement questions arising on claims. Copies of this document are held in the Library of the House. The latest available information relates to the quarter year and year to 31 March 1996.

However, no statistics are held specifically in relation to availability and actively seeking work decisions on claims made by people who complete student questionnaires, declare participation in voluntary work or are in part time employment.

I am unable to state the administration cost per claimant where referral to adjudication is necessary because of doubts on these questions. Information on administration costs is not broken down in this way.

I hope this is helpful.

Jobcentre Computers

Mr. Byers: To ask the Secretary of State for Education and Employment what advice has recently been received from the Furniture Research Establishment concerning the steps necessary to make safe the new jobseeker's allowance computer systems in jobcentres; what action her Department is taking in respect of this advice; what is the estimated cost; and if she will make a statement. [34792]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Robert Horne to Mr. Stephen Byers, dated 27 June 1996:

The Secretary of State for Education and Employment has asked me to reply to your question, in the absence of the Chief Executive, about the advice received from the Furniture Industry Research Association (FIRA) concerning electrical safety, the action being taken in respect of this advice, and the estimated cost.

Following the recent accident at Barnsbury Jobcentre we have taken immediate steps to improve safety. The risk which we have to deal with arises not so much from the installation of new personal computers as from the cabling of electrical equipment generally. We have instructed staff to make visual checks of all cables which pass through or near their desks for signs of damage. We have also brought forward our regular six monthly check of electrical appliances. Costs arising from these actions will depend on the faults found, but are likely to be small.

As an additional precaution we asked FIRA for advice about the earthing of desks. FIRA are providing technical specifications for our electrical contractors to enable them to begin a programme of earth bonding desks. Initial estimates are that the programme will cost around £1.75 million. The exact figure will be available when the technical specifications have been fully costed.

Supported Employment Programme

Mr. Mark Robinson: To ask the Secretary of State for Education and Employment what changes will be made to the entry procedures for the Employment Service's supported employment programme as a result of the Disability Discrimination Act 1995; and if she will make a statement. [35116]

Mr. Forth: We have recently completed a public consultation on the entry criteria for this programme. The consultation was announced by my hon. Friend the Minister for Disabled People in January 1995 in the publication "Ending Discrimination against Disabled People". A substantial majority of those responding were in favour of keeping the current entry criteria apart from the modifications needed to comply with the Disability Discrimination Act 1995.

Entry to the programme is currently based on registration under the Disabled Persons (Employment) Act 1944 and judgments by the Employment Service on a disabled person's capability of undertaking open employment. The Disability Discrimination Act amends the 1944 Act by introducing a new employment right and a new definition of disability. Once these apply, towards the end of 1996, registration as disabled will cease.

We have decided that the current entry criteria—that disabled people should be 30 per cent. to 80 per cent. productive relative to a non-disabled person and that they cannot otherwise obtain or retain employment on account of the severity of their disability—should continue to apply. Once registration as disabled has ceased, all disabled people entering the programme will need to comply with the definition of disability in the Disability Discrimination Act. Disabled people who were on the register on 12 January 1995 and on the date the new employment right comes into effect will be deemed to be disabled for the purposes of the Act without having to provide other evidence of disability.

SOCIAL SECURITY

Child Support Agency

Ms Gordon: To ask the Secretary of State for Social Security (1) what plans he has to review the CSA computer system; [33827]

(2) what plans he has *(a)* to revise and *(b)* to rebuild the CSA computer system. [33814]

Mr. Andrew Mitchell: I refer the hon. Member to the reply given by the chief executive of the Child Support Agency to the hon. Member for Rochdale (Ms Lynne), on 20 June, *Official Report*, column *603*.

Ms Lynne: To ask the Secretary of State for Social Security (1) for what period of time the Child Support Agency is authorised to keep records of cases of former clients on its computer systems; [34313]

(2) what safeguards are applied to ensure that data held about former clients by the Child Support Agency cannot be accessed; [34312]

(3) in what circumstances data relating to former clients of the Child Support Agency is held on the Child Support Agency computer system after a case is closed; [34316]

(4) how many cases of former clients of the Child Support Agency whose cases have been closed still have records on the Child Support Agency computer system; [34314]

(5) what requirements are placed on the Child Support Agency to delete the records of former clients whose cases have been closed. [34315]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 27 June 1996:

In the absence of Miss Chant, the Chief Executive, I am replying to your Parliamentary Questions to the Secretary of State for Social Security about the Child Support Agency Computer System (CSCS).

Under the Data Protection Act 1984 the Agency is empowered to retain information for as long as there is a business need. There are no other requirements placed on the Child Support Agency to delete records whose cases have been closed other than the Data Protection Act.

The 6th Principle of the Data Protection Act is that "Personal Data held for any purpose or purposes shall not be kept for longer than is necessary for that purpose or purposes."

All accesses to the CSCS require the input of a unique Personal Identification Device (PID) which registers the access on an Audit trail which is subject to management checks. In addition all devices use password techniques which prevent unauthorised access. Standard physical security practices are in place near all Agency terminals.

Users of the CSCS are also restricted by the system, to updating only those areas of the system which are relevant to their duties.

Data which have been archived off the CSCS cannot be retrieved through the system, but hard copy records can be obtained by authorised users.

In the case of nationally sensitive or locally sensitive cases only designate officers with a higher security profile are allowed access to that case.

At present all closed cases are retained on the CSCS. A programme to introduce archiving and weeding of data has begun and some redundant data which have been superseded is already being removed from all cases.

There are business reasons why the Agency needs to retain data for a specified period after the case is closed ie. enquiries, appeals, monitoring of cases for Secretary of State targets.

There are also circumstances where it would be necessary to retain data for a longer period. This would be applicable where "Good Cause" for not pursuing a case has been established; in such a case the Agency is not permitted under its regulations to pursue the same case in future. There are other instances where it is in the best interests of Agency clients to retain data. For example, where DNA testing has been undertaken the Agency would not wish to go over ground previously covered with a client in the event of a repeat claim.

The picture is complicated by the fact that a person may be linked to more than one assessment unit or case. Thus an assessment unit may be closed but the individual personal records may still be considered active if they are also linked to another open case. Similarly a person can legitimately leave an assessment unit, for example a non qualifying child, and their record closed but the actual assessment unit remain open and active.

There are currently approximately 650,000 closed cases on the CSCS which represents 38% of the 1.7 million cases on the system. There are approximately 753,000 personal records which are regarded as "inactive" on the computer system which represents approximately 20% of the total 3.8 million person records on the file. These personal records include records of children.

Whilst the Agency accepts the principle of removing or archiving much data from closed cases there are nevertheless important reasons to retain some evidence of legitimate clients in the event of repeat applications. It is important that such records are retained for a longer period.

I hope this is helpful.

Family Credit

Mr. Charles Kennedy: To ask the Secretary of State for Social Security if he will make a statement on the forthcoming changes in respect of eligibility for family credit; what steps were taken to advise recipients of the changes; and what estimate he has made of the likely average impact of the changes upon single parents. [33844]

Mr. Roger Evans: From 2 July, family credit awards will terminate when the last remaining dependent child in a family leaves full-time, non-advanced education. We have written to all families who may be immediately affected and a further letter will be sent around 2 July to all such families to give information about the new rules. From 2 July, information will be included on award notices and on forms and leaflets.

Of the 287,000 lone parents who receive family credit, we estimate that under 4 per cent. will be affected by the change. The impact will depend on how many weeks of the 26-week family credit award remain when the child leaves school.

Income Support

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many people were disqualified from income support under the notional income rules in respect of earnings of *(a)* the claimant and *(b)* the claimant's partner in the year 1995–96. [34215]

Mr. Roger Evans: The information is not available.

Mr. Lidington: To ask the Secretary of State for Social Security when the Independent Tribunal Service will inform the Benefits Agency in writing of the outcome of the tribunal hearing in Harrow on 4 June in respect of an appeal by Miss B. D. (ref. youth training 138196D), against the withholding of income support. [34224]

Mr. Evans: The Benefits Agency will be informed of the result of the hearing during the week commencing 24 June 1996.

Child Care Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security what was the total spending on the child care allowance *(a)* during 1995–96 and *(b)* since its introduction. [34229]

Mr. Roger Evans: Information is not yet available for the full financial year 1995–96, or for the expenditure on the child care disregard in housing benefit and council tax benefit. Expenditure in family credit and disability working allowance is provisionally estimated at £17.8 million between introduction of the disregard in October 1994 and February 1996. The latest date for which information is available.

Benefits

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is the average number of hours worked by *(a)* lone parents and *(b)* couples who claim (i) family credit, (ii) disability working allowance, (iii) housing benefit and (iv) council tax benefit. [34238]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is set out in the table.

Family credit and disability working allowance: average weekly hours worked by recipients

	Family credit	*Disability working allowance*
Couples	33.9	28.9
Lone parents	24.9	23.9

Note:

1. Data for family credit and disability working allowance, is for October 1995 and January 1996 respectively.
2. Figures for housing benefit and council tax benefit are not available.

Source:

1. Family Credit Statistics Quarterly Enquiry October 1995.
2. Disability working allowance 100 per cent. count of claims January 1996.

TREASURY

Value Added Tax

16. **Mr. Janner:** To ask the Chancellor of the Exchequer what representations have been made to him on recent VAT receipts. [33421]

Mr. Heathcoat-Amory: We receive many representations on VAT receipts.

Beer Duty

17. **Mr. Harvey:** To ask the Chancellor of the Exchequer what plans he has to bring duties on beer into line with those in other EU member states. [33423]

Mr. Heathcoat-Amory: Any change that my right hon. and learned Friend the Chancellor makes to the level of beer excise duty will be a matter for his forthcoming Budget deliberations. In reaching his decisions he takes account of all relevant factors, including the rates of duty applied by our European partners.

Transfer Pricing

18. **Mr. Cousins:** To ask the Chancellor of the Exchequer how many inquiries into transfer pricing abuses have been carried out in the last three years; and what estimate he can give of revenues recovered. [33424]

Mr. Jack: The Inland Revenue keeps multinational companies' tax affairs under constant scrutiny and any evidence of non-compliance with the transfer pricing legislation is carefully investigated. In the last three years inquiries by the Revenue's head office international specialists generated more than £500 million additional tax. Further significant amounts of tax were generated by work in the Revenue's oil taxation office and its local office.

Public Finances

19. **Mr. Keith Hill:** To ask the Chancellor of the Exchequer what representations have been made to him recently on the state of the United Kingdom's public finances. [33425]

Mr. Waldegrave: My right hon. and learned Friend has not received any such formal representations recently.

The public finances are improving steadily, with the PSBR on a clear downward trend.

Private Finance Initiative

20. **Mr. Congdon:** To ask the Chancellor of the Exchequer what assessment he has made of the benefits of the private finance initiative to London. [33426]

Mr. Michael Jack: Projects with a capital value of over £3.7 billion have been agreed in the last year in and around London. These include the channel tunnel rail link, which has a capital value of £3 billion; a new fleet of trains for the Northern line of the Underground, with a capital value of £400 million; the creation of 170 new housing units in Waltham Forest with a capital value of £15 million; and the Croydon tramlink deal, which has a capital value of £160 million. Many more are under consideration. Comprehensive details of small-scale projects or projects by region are not held centrally.

Ms Ruddock: To ask the Chancellor of the Exchequer how many civil servants have been given formal training on the private finance initiative; and what plans his Department has to increase awareness of the private finance initiative among all Government Departments. [34579]

Mr. Jack: Nearly 2,000 civil servants have already attended or are currently booked to attend the PFI training course announced at Budget time last year. The private finance panel hopes that between 5,000 and 10,000 will be trained in total. Government Departments, other public sector bodies and private sector organisations now run more specialised PFI courses and training of their own.

Other measures to ensure that all civil servants involved with the PFI are fully informed about it include the publication of a comprehensive handbook "Private Opportunity, Public Benefit: Progressing the Private Finance Initiative"; "Guidelines for Smoothing the Procurement Process"; and a series of case studies, the latest of which is "Report on the procurement of custodial services for the DCMF prisons at Bridgend and Fazakerley". The "Private Finance Journal", provided under contract for the private finance panel executive, publishes regular information about the initiative. Departments are increasingly developing guidance and newsletters of their own, specific to enhancing knowledge of the PFI in their own areas.

Investment

21. **Mr. Eric Clarke:** To ask the Chancellor of the Exchequer what plans he has to increase levels of investment in the United Kingdom. [33427]

Mrs. Angela Knight: Industry is expanding capacity as needed. In 1995 manufacturing investment was over 7½ per cent. up on a year earlier, and almost 15 per cent. higher than in 1993. Virtually all independent forecasters expect whole economy investment to accelerate in both 1996 and 1997.

23. **Mr. McKelvey:** To ask the Chancellor of the Exchequer what assessment he has made of the economic effects of current investment levels in the United Kingdom. [33430]

Mrs. Knight: Investment in recent years has been sufficient to underpin sustained economic growth, rising most in sectors where it has been needed to prevent capacity constraints.

25. **Dr. Lynne Jones:** To ask the Chancellor of the Exchequer what assessment he has made of disincentives to business investment in the current tax systems. [33433]

Mr. Jack: The Government's on-going programme of tax reform has sought to create a climate in which businesses can thrive and invest and where individual initiative and risk taking are rewarded. Lower marginal tax rates and a stable economy are the best ways to encourage investment. The UK has the lowest main rate of corporation tax of any major industrialised country and a particularly favourable regime for small firms.

Taxation

22. **Mr. Hain:** To ask the Chancellor of the Exchequer what assessment he has made of the economic impacts of current levels of taxation. [33428]

Mr. Jack: The Government have sharpened work incentives for individuals by cutting the basic rate of income tax from 33 to 24 per cent., the lowest rate for 50 years. Likewise, by cutting corporation tax rates, from 42 per cent. to 24 per cent. for small business and from 52 per cent. to 33 per cent. for other businesses, we have

created the conditions under which wealth can grow. GDP has risen by 35 per cent. in real terms since 1979.

Privatisation

24. **Mr. Dunn:** To ask the Chancellor of the Exchequer what recent representations he has received from *(a)* business leaders and *(b)* politicians overseas regarding privatisation. [33431]

Mr. Jack: My right hon. and learned Friend the Chancellor frequently meets business men and politicians from all over the world, and the success of the British Government's privatisation programme and the lessons it holds for other countries is often a subject of discussion at these meetings. For instance, he has recently been visited by senior Government representatives from as far afield as China, South Africa, New Zealand, the Netherlands and the state of São Paolo in Brazil.

The promotion of British expertise in privatisation and private finance was also one of the primary objectives of the Chancellor's trip to South Africa in March, during which he addressed the South Africa Foundation, a group representing 50 top South African companies.

Mansion House Speech

26. **Sir Michael Neubert:** To ask the Chancellor of the Exchequer what representations he has received in response to his speech at the Mansion house on 12 June. [33434]

Mr. Waldegrave: My right hon. and learned Friend's speech at the Mansion House was well received.

Health and Safety

Mr. Ian McCartney: To ask the Chancellor of the Exchequer on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33452]

Mrs. Angela Knight: The table gives the number of reported accidents in the Treasury, Her Majesty's Customs and Excise, the Office for National Statistics, Paymaster, the Valuation Office and the Royal Mint in each of the past five years:

1991:	701[1]
1992:	1,382
1993:	1,299
1994:	1,462
1995:	584[1]

[1] Data for Customs and Excise are not available for 1991 and 1995.

The Health and Safety Executive was involved on six occasions.

The Inland Revenue does not hold health and safety records centrally and could provide this information only at disproportionate cost.

Manufacturing Output

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what assessment he has made of the reasons for the change in the level of manufacturing output less food, drink and tobacco between 1989 and 1995. [34478]

Mr. Waldegrave: A detailed breakdown of the latest data on manufacturing output is shown in table 2 of the "Index of Production First Release for April 1996", which was published by the Office for National Statistics on 11 June. The Government pay close attention to all national accounts data, including those for manufacturing output, in monitoring and analysing developments and trends in the UK economy.

Public Sector Borrowing Requirement

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what representations he has received from organisations and individuals concerning the use of the public sector borrowing requirement as the primary instrument of fiscal control. [34431]

Mr. Waldegrave: A number of representations have been received by Treasury Ministers.

Mr. Prentice: To ask the Chancellor of the Exchequer what assessment he has made of the advantages and disadvantages of using *(a)* the public sector borrowing requirement and *(b)* the general Government financial deficit as the primary fiscal control regime. [34415]

Mr. Waldegrave: The PSBR is a cash concept which covers the whole public sector. It has the benefits of continuity, comprehensiveness and timeliness of data. But the Government also monitor and publish projections of other fiscal indicators, including the GGFD.

Mr. Canavan: To ask the Chancellor of the Exchequer what is his current estimate of the public sector borrowing requirement for 1996–97. [33429]

Mr. Waldegrave: The Budget projection of 1996–97 PSBR was £22½ billion. An updated forecast of the PSBR will be published in the summer economic forecast on 9 July.

Mr. John Evans: To ask the Chancellor of the Exchequer what plans he has to reduce the public sector borrowing requirement over the next six months. [33432]

Mr. Waldegrave: The Budget projection of the 1996–97 was £22½ billion, a fall of £6½ billion compared with the Budget estimate of the PSBR in 1995–96. An updated forecast of the PSBR will be published in the summer economic forecast on 9 July.

Financial Management Certificate

Mrs. Roche: To ask the Chancellor of the Exchequer if he will publish the submissions his Department received on a financial management certificate. [25595]

Mrs. Angela Knight: Public responses to the consultation document, "Responses to the Financial Management Certificate Consultation Document", are now available in the Libraries.

Securities and Investment Board

Mr. John Greenway: To ask the Chancellor of the Exchequer when he expects the annual report of the Securities and Investments Board to be published. [35078]

Mrs. Angela Knight: A copy of the board's report, made in accordance with section 117 of the Financial Services Act 1986, was laid before Parliament today. The

report covers the period from 1 April 1995 to 31 March 1996. Copies are now available in the Libraries of the House.

Bovine Spongiform Encephalopathy

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what is the latest estimate of the cost of the measures taken to deal with the BSE crisis so far. [35122]

Mr. Kenneth Clarke: The latest estimates, updating those given by my right hon. Friend the Chief Secretary to the hon. Member of Northampton, North (Mr. Marlow) on 26 April at columns 321–22, are shown in the table:

Estimated cost of measures in the UK taken in response to BSE

(£ million)

	1996–97	*1997–98*	*1998–99*	*Total cost over three years*
Net cost borne by the UK	848	516	623	1,987
Net contribution from the EU	189	232	62	483
Total cost	1,037	748	685	2,470

This reflects an increase over the previous estimate of £40 million to the total cost over the three years from £2,430 million.

The table includes the following measures:

(a) the compensation and destruction arrangements for cattle over 30 months of age which cannot now enter the food chain.

(b) the calf slaughter premium;

(c) the package of aid for the renderers and the abattoir and cutting industries announced on 3 April and 16 April respectively;

(d) the feed recall scheme;

(e) additional running costs for the agriculture departments.

The figures for the net contribution from the EU take account of both the UK's contribution to additional EU spending and the effect of additional receipts on the UK abatement.

The figures do not include either the costs of increased beef intervention or the costs of the accelerated cattle slaughter programme, for which precise estimates are not yet available.

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the effect on the public sector borrowing requirement in *(a)* 1996–97 and *(b)* 1997–98 of the BSE crisis in United Kingdom farming, including the associated compensation measures; and if he will make a statement. [34752]

Mr. Clarke: The direct costs of BSE measures in 1996–97 will be met either from existing departmental programmes or from the contingency reserve. Spending plans for 1997–98 also contain an unallocated reserve for meeting unforeseen commitments; BSE costs in 1997–98 will be met from this reserve. Because the reserve is part of the public expenditure control total for each financial year, there is no reason to change the published forecasts of public sector borrowing in 1996–97 or 1997–98 as a consequence of BSE measures.

The estimated aggregate impact of BSE measures on gross domestic product is small, although there will be a significant impact on certain sectors of the economy. So there are not likely to be any significant indirect effects on the PSBR.

Financial Services Act

Mr. Matthew Banks: To ask the Chancellor of the Exchequer whether he intends to amend the Financial Services Act 1986 as recommended by the Law Commission's report (No. 236) on fiduciary duties and regulatory rules. [35120]

Mrs. Angela Knight: At the time of the reference to the Law Commission in 1990, there was some concern about the possible mismatch between regulatory rules and common law fiduciary duties owed by firms. Structural changes of the financial markets in the mid-1980s, particularly with firms offering a wide range of financial services, increased the potential for such conflicts. This led the DTI, in April 1990, to refer the issue to the Law Commission. A parallel reference was made to the Scottish Law Commission. Since then, responsibility for this area has passed to the Treasury.

The Law Commission's report represents a thorough review, which has exposed whether the original concerns were indeed well founded and has led to an informed consideration of all the issues. As the Law Commission's report recognises, since consulting on this issue regulatory and legal developments have helped clarify the relationship between fiduciary duties and regulatory rules. Both Law Commissions recommend that legislation would be desirable to clarify the effect of Chinese wall arrangements, so as to provide statutory protection to firms which comply with regulatory rules against any claims for breach of fiduciary duties arising out of the use of such arrangements.

Consultation with relevant representatives within the financial services sector suggests that there is now sufficient confidence in the effectiveness of Chinese wall arrangements, without concern of exposure to possible legal uncertainties. Experience of operating under the financial regulatory system, with few practical problems of the sort feared in 1990 avoids the need to amend the Financial Services Act in this respect.

Abortion

Mrs. Ann Winterton: To ask the Chancellor of the Exchequer how many late abortions were performed in the latest year for which figures are available in pregnancies of 24 weeks or more; if he will indicate the numbers and percentages of those abortions which were performed on each of the legal grounds; and what numbers and percentages of those abortions were performed by each of the six doctors who performed the largest number of such abortions. [34259]

Mrs. Angela Knight *[holding answer 25 June 1996]:* In 1993, 74 abortions were performed in England and Wales beyond 24 weeks of gestation (residents and non-residents).

The breakdown by statutory ground is:

	Number	Percentage of total abortions beyond 24 weeks
E (alone)[1]	73	99
F or G[2]	1	1
Total	74	100

Statistical information is not produced about individual doctors.

[1]to save the life of the pregnant woman, or to prevent grave permanent injury to the physical or mental health of the pregnant woman.

[2]that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

Mrs. Winterton: To ask the Chancellor of the Exchequer how many abortions have now been performed in total under the provisions of the Abortion Act 1967; and how many and what percentage of those abortions were performed in emergency to save the life of the mother. [34261]

Mrs. Knight *[holding answer 25 June 1996]:* The total number of legal abortions performed under the Abortion Act 1967 in England and Wales from 1968 to the end of September 1995 was 4,177,665. During this period 140 abortions—0.003 per cent. were performed in an emergency, certified as immediately necessary, to save the life of the women.

Higher Rate Tax

Mr. Frank Field: To ask the Chancellor of the Exchequer how many and what proportion of taxpayers are currently paying tax in each £10,000 band of income above the current starting point for higher rate tax. [34570]

Mr. Jack *[holding answer 26 June 1996]:* Available estimates for higher rate taxpayers in 1996–97 are given in the table. It is not possible to provide reliable estimates for bands of taxable income above £100,000.

Taxable income range[1] £ per year	Number of taxpayers (thousands)	Proportion of taxpayers
25,500–30,000	680	0.026
30,000–40,000	750	0.029
40,000–50,000	300	0.012
50,000–60,000	150	0.006
60,000–70,000	80	0.003
70,000–80,000	50	0.002
80,000–90,000	30	0.001
90,000–100,000	20	0.001
Over 100,000	110	0.004
Total	2,200	0.085

[1] Taxable income is defined as gross income for income tax purposes less those allowances and reliefs which are available at the taxpayer's marginal rate.

Mr. Field: To ask the Chancellor of the Exchequer what estimate he has made of the cost of raising the starting point for higher rate tax by an additional *(a)* £5,000 and *(b)* £10,000; and how many and what proportion of taxpayers will be affected. [34569]

Mr. Jack *[holding answer 26 June 1996]:* The full year cost of increasing the basic rate limit and the number and proportion of people affected at 1996–97 income levels are given in the table.

Increase in basic limit (£)	Cost in full year (£ billion)	Number of taxpayers affected (million)	Proportion of taxpayers affected
5,000	1.5	2.2	0.085
10,000	2.5	2.2	0.085

Venture Capital Trusts

Mrs. Roche: To ask the Chancellor of the Exchequer how much money has so far been invested in venture capital trusts; how many of the trusts have invested in new businesses; what percentage this represents of the total; what sums have been invested; and in how many businesses. [34120]

Mr. Jack *[holding answer 26 June 1996]:* The first 12 venture capital trusts between them have now raised over £160 million in the first few months of the scheme. It may not be possible to obtain an impression of the profile of their investments until they have published reports on the first year of their activities.

SCOTLAND

Clinical Waste

Dr. Godman: To ask the Secretary of State for Scotland (1) what plans he has to modify the regulations governing the importation of medical and clinical waste; and if he will make a statement; [34034]

(2) if he will list the names and locations of those companies which are licensed to import clinical waste for high temperature incineration; and if he will make a statement; [34040]

(3) which countries export clinical waste to Scotland for high temperature incineration; and if he will make a statement. [34035]

Mr. Kynoch: The Government's policies on exports and imports of waste from and to the United Kingdom are contained in the United Kingdom management plan for exports and imports of waste which came into force on 1 June 1996.

Under the plan, imports of waste for disposal are generally banned, in line with the principle of self-sufficiency in the disposal of waste. However, exceptions to this policy occur in cases of emergency or where the exporting country does not have, and cannot reasonably acquire, suitable disposal facilities of its own.

There are no licensed high temperature incinerators, as defined in the plan, in Scotland. Therefore, medical or clinical waste is not imported for high temperature incineration in Scotland.

There are no current plans to modify the regulations governing the importation of medical and clinical waste into the United Kingdom.

Dr. Godman: To ask the Secretary of State for Scotland what recent discussions have taken place with the Irish Department of Health concerning the export of clinical waste to Scotland; and if he will make a statement. [34033]

Mr. Kynoch: I refer the hon. Member to the reply given today by the Under-Secretary of State, for the Environment, my hon. Friend the Member for Hertsmere (Mr. Clappison), regarding the Government's policies on the imports and export of waste.

Shields Report

Mr. Watson: To ask the Secretary of State for Scotland (1) what consultation he intends should take place with local authorities in Scotland in respect of the changes to public health departments proposed by the Shields report; [34397]

(2) pursuant to section 6.1.1 of the Shields report, what arrangements are currently in place across Scotland for communication and liaison between directors of public health and local authorities. [34447]

Lord James Douglas-Hamilton: There is no formal consultation on the Shields report or the NHS management executive letter that implements it. In their capacity as designated medical officers, directors of public health have the opportunity for regular contact with local authorities. A recent management executive letter emphasised the contribution designated medical officers could make to increased collaboration with local authorities on health matters, bearing in mind the potential the new single tier structure for a co-ordinated approach to health improvement. I would expect any proposed changes at local level in consequence of the Shields report with implications for local authorities to be the subject of discussion between the health boards and local councils concerned.

Mr. Watson: To ask the Secretary of State for Scotland what changes in the numbers of those employed by health boards in Scotland he estimates will result from the implementation of the Shields report recommendations. [34446]

Lord James Douglas-Hamilton: The most recent estimates suggest health board management and administration spending will average £13.28 per head in 1996–97. A £10 per head target therefore implies a reduction in spending of one quarter. There may well be consequent reductions in administrative staff.

Mr. Watson: To ask the Secretary of State for Scotland (1) what assessment he has made of correlations between levels of health and overall expenditure by health boards in Scotland; and if he will list the available date by health board; [34448]

(2) for what reasons the committee which prepared the Shields report was not required to consider links between levels of mortality, morbidity and social and economic deprivation. [34449]

Lord James Douglas-Hamilton: The revenue funding allocation formula for health boards is based on population adjusted for age, sex and morbidity. The data are given in Scottish health authorities revenue allocation tables published annually by the information and statistics division of the common services agency of the national health service in Scotland. The committee reviewed the roles and responsibilities of health boards. Considering links between levels of mortality, morbidity and social and economic deprivation was not therefore in the committee's remit.

Mr. Watson: To ask the Secretary of State for Scotland (1) if he will list evidence on the effectiveness of different models of health promotion delivery presented to the committee preparing the Shields report evaluated by his Department; and with whom consultation took place on this part of the report; [34450]

(2) what assessment he has made of the recommendations contained in section 6.1.2 of the Shields report in respect of arm's length delivery of health promotion. [34456]

Lord James Douglas-Hamilton: A number of health boards in Scotland already contract with NHS trusts for the delivery of health promotion services. The report suggests that all boards should consider contracting for this service element in order to evaluate the service on a more objective basis. The letter implementing the report suggests that the contract would normally be with an NHS trust, but that other models that improve local partnerships may be appropriate.

Mr. Watson: To ask the Secretary of State for Scotland if funds for health service development will be exempted from target costs for health board management and administration of £10 per head of population set out in the Shields report. [34451]

Lord James Douglas-Hamilton: The purpose of the £10 target is to produce additional funds for health care and developments for patients.

Mr. Watson: To ask the Secretary of State for Scotland, pursuant to section 6.1.1 of the Shields report, if directors will retain the right to independent comment and the publication of independent reports on all matters affecting the health of their local population. [34452]

Lord James Douglas-Hamilton: Section 6.1.1 of the report makes it clear that the committee would not wish to undermine the freedom of directors of public health to make an independent report or statement about the health of the local population.

Mr. Watson: To ask the Secretary of State for Scotland, pursuant to the recommendations contained in the Shields report, if health boards will be permitted to keep centrally those functions which they consider necessary to protect and promote public health. [34453]

Lord James Douglas-Hamilton: The report makes it clear that protecting and promoting public health is a key responsibility of health boards. However, it is not necessary for all of the services to be provided by boards themselves.

Mr. Watson: To ask the Secretary of State for Scotland (1) for what reason the Shields report committee was not required to analyse variations in expenditure on management and administration between health boards in Scotland; and to what extent such analysis was required to be carried out on the basis of individual functions or departments across health boards in Scotland; [34454]

(2) for what reason the Shields report committee was not required to analyse variations in expenditure between health boards in Scotland; and to what extent analysis was required to be carried out on the basis of individual functions or departments. [34455]

Lord James Douglas-Hamilton: The Shields committee was given figures showing that the variation in management and administration was from £10.46 per head to £18.82 a head in mainland health boards based on their 1994–95 annual accounts. Health boards themselves have analysed the variation in costs and numbers of staff across 10 functions. This work was aided by the Accounts Commission.

Forestry Commission (Land Sales)

Ms Ruddock: To ask the Secretary of State for Scotland (1) how much money has been raised from the sale of Forestry Commission woodland in each year since 1981; [33808]

(2) what is the percentage of Forestry Commission woodland sold with public access protected *(a)* from 1981 to the latest available date and *(b)* from 1989 to the latest available date; [33805]

(3) if he will list all Forestry Commission woodlands currently for sale, and indicate for each one which English or Welsh county or Scottish region it falls in; and if an access agreement has been made with the local authority guaranteeing continuing public access; [33806]

(4) how many Forestry Commission woodlands have been sold in each year since 1981, indicating for each year *(a)* the number sold without access to the public protected and *(b)* the number sold with access to the public protected. [33804]

Mr. Kynoch *[holding answer 20 June 1996]:* The subjects of the questions relate to matters undertaken by Forest Enterprise. I have asked its chief executive, Mr. Gordon Cowie, to arrange for a reply to be given.

Letter from Gordon M. Cowie to Ms Joan Ruddock, dated 27 June 1996:

The Secretary of State for Scotland has asked me to reply to your Question about the number of woodlands sold, the money received from their sale, the percentage sold with public access protected and the woodlands currently for sale.

In the early years of the disposal programme no distinction was made between sales of woodland and sales of other land and properties and it is not possible to give you a breakdown of how much money has been raised specifically from the sale of Forestry Commission woodland areas for each year since 1981. However, we do know the proceeds from the sales of all our properties (including woodland areas) by year and this is shown below:-

Year ended 31 March	*Total receipts (£ million)*
1981	4.5
1982	6.9
1983	14.6
1984	23.6
1985	22.1
1986	17.0
1987	14.7
1988	13.1
1989	12.4
1990	13.0
1991	12.0
1992	14.5
1993	9.9
1994	17.4
1995	12.1
1996	14.6

You asked for information about public access from 1981 to 1989 to the latest available date. I attach a list of all woodlands sold with completed public access agreements. You asked for information from 1981 but the arrangements for public access agreements were only introduced in October 1991 and the list, therefore, only covers disposals since then. You will see that at 31 March 1996, there had been 48 sales of woodland with completed agreements totalling some 1724 hectares. In addition, there have been 13 sponsored sales to the local authority or other nominated body totalling 2644 hectares have been sold with public access protected. During the same period, there were 679 other sales totalling 35578 hectares. Sales with protected access comprised 8% of the number and 7% of the area sold.

You also asked for information about Forestry Commission woodlands currently for sale. I attach a list showing all the woodlands currently on the market with the details you have asked for and those with a continued public access (CPA) agreement being asterisked.

You asked about the number of woodlands sold since 1981 and whether they were sold with public access protected. Lists of all Forestry Commission disposals for the years 1981–1995 are placed yearly in the Library of the House of Commons and I enclose copies of these for your use. They contain details of all sales of Forestry Commission land. The numbers of sales with access to the public protected are given above.

Sales with completed public access agreements as at 31 March 1996

County/region	*Name*	*Area(ha)*	*Date sold*
1993 Wales			
Gwent	Graig Syddi	28	November 1993
1994 England			
Derbyshire	Birch Wood	24	February 1994
Derbyshire	Britton Wood	6	March 1994
Derbyshire	Kings Lot and Longway Bank	12	March 1994
Humberside	Sutton Wood	33	July 1994
North Yorkshire	Gateforth East	28	March 1994
North Yorkshire	Moreby Wood	33	April 1994
Wales			
Clwyd	Nant y Ffridd (1)	52	'June 1994
Clwyd	Nant y Ffridd (2)	23	'June 1994
Dyfed	Allt y Gwydre	14	March 1994
Dyfed	Court Wood	19	September 1994
Dyfed	Factory Wood	3	March 1994
Dyfed	Taldrum Wood	5	March 1994
Dyfed	Tan y Lan	32	March 1994
Dyfed	Ty'r Dopa	14	April 1994
Powys	Castlering	14	June 1994
Powys	Granner Wood	10	August 1994
Powys	Hilltop	5	April 1994
Powys	Taylors Wood	42	October 1994
Powys	Tir y Gof	47	December 1994

Sales with completed public access agreements as at 31 March 1996

County/region	Name	Area(ha)	Date sold
1995 Wales			
Clwyd	Foel Uchaf	18	July 1995
Dyfed	Blwch Newydd	8	December 1995
Dyfed	Cwmere	19	June 1995
Dyfed	Penfarch	24	May 1995
Dyfed	Penwenallt	5	November 1995
Gwynedd	Coed Glygyrogwen	110	November 1995
Gwynedd	Pant y Wrach Lot 3	27	November 1995
West Glamorgan	Decoy Woods	14	July 1995
Scotland			
Borders	Gala Blocks	127	August 1995
Grampian	Lochlait Wood	90	July 1995
Grampian	White Cow Wood	444	October 1995
Grampian	Wood of Wrae	50	November 1995
Highland	Rinuden Plantation	88	July 1995
Strathclyde	Crispie	13	December 1995
Tayside	Cowden Wood	20	March 1995
1996 England			
Isle of Wight	Timber Copse	8	January 1996
Kent	Stone Wood	11	March 1996
Wales			
Dyfed	Pont Henri	14	March 1996
Dyfed	Allt Llyn Dyfrion	11	March 1996
Gwent	Coed Howell	31	March 1996
Gwent	Craig Y Merchant	25	March 1996
Gwynedd	Ffridd Fach Ddeiliog	17	January 1996
Gwynedd	Gilrhos	29	February 1996
Gwynedd	Glyn Covert	7	March 1996
Gwynedd	Gwinllan Y Gaerwen	9	March 1996
Gwynedd	Pentre Cogwen	9	February 1996
Scotland			
Grampian	Auquharney Lot 2	44	February 1996
Grampian	Auquharney Lot 3	8	January 1996
	Total area to date	1,724	
	Total number to date	48	

[1] One sale but agreements with two separate LAs.

List of Forestry Commission woodland areas currently for sale

England

Name of property	Area (ha)	CPA agreement
Berkshire		
Channers Wood	15.0	
Buckinghamshire		
Howes Wood	5.0	
Mercers Wood	6.0	
Cornwall		
Port Eliot	76.0	
Prideaux	24.0	
Treworgey Wood	17.0	
Wheal Par	5.0	

List of Forestry Commission woodland areas currently for sale

England

Name of property	Area (ha)	CPA agreement
Cumbria		
Birks Wood	8.0	
Chalk Plains Wood	40.0	
Devon		
Deershill	11.0	
Knowle Wood	8.0	
Hampshire		
Crawley Down	28.0	
Redcap and Catham	14.0	
Whitelands Copse	12.0	
Lancashire		
Tithe Barn	8.0	
Norfolk		
Foulden Broom Covert	6.0	
West Rudham Woods	78.0	
North Yorkshire		
Haxby Plantation	50.0	
Hayton Wood	56.0	[1]—
Hazel Wood	51.0	[1]—
Hazelhead	94.0	[1]—
Kilburn Thicket	12.0	
Robsons Spring Wood	43.0	
Skelton Banks	7.0	
Nottinghamshire		
Dilliner Wood	20.0	
Roe Wood	47.0	
Shropshire		
Coed Detton	14.0	
Somerset		
Frys Wood	24.0	
Higher Bitcombe	30.0	
South Yorkshire		
Green Springs Wood	12.0	
Old Park Wood	41.0	[1]—
Owston Wood	64.0	[1]—

[1] Indicates CPA agreement.

Scotland

Name of property	Area (ha)	CPA agreement
Grampian		
Auchinroath Plantation	62.0	
Auquharney, Lot 1	81.0	[1]—
Badiebath Woods (B&BDC)	46.0	
Balmakewan (3222M)	0.6	
Highland		
Craskie Woods	49.0	
Creag Dhubh	97.0	[1]—
Glencannich Wood	70.0	
Kishorn Plantation	67.0	[1]—
Muchrachd Wood	29.0	
Orbost Plantation	575.0	
Tor Clunes and Castle Spynie	138.0	[1]—
Strathclyde		
Ardbecknish	119.0	[1]—
Ardchonnell II	222.0	

Scotland

Name of property	*Area (ha)*	*CPA agreement*
Crookedstane	347.0	
Docherneil	82.5	
Ford	57.0	[1]—
Little Clyde	650.0	
Tayside		
Ardlebank	43.0	
Dundurn	680.0	
Newbigging and Braedown	413.0	

[1] Indicates CPA agreement.

Wales

Name of property	*Area (ha)*	*CPA agreement*
Clwyd		
Blackthorn Covert	21.5	
Coed Melin Y Moch	12.0	
Gwrych Castle Woodlands	49.0	
Dyfed		
Allt Cil Y Llyn Fawr	2.5	
Allt Hengeraint	18.6	
Allt Wig Wen	8.2	
Allt Y Gigfran	18.0	
Brynamlwg	9.0	
Byrn Wichell	15.0	
Cefn Wig	19.0	
Cilflower Wood	3.0	
Crossway	4.5	
Cruglas	6.0	
Ffynon Rhys	32.2	
Gelli Gwenyn	16.0	
Martletwy Wood	18.0	
Penhill Wood	4.0	
Rhos Maes Crug	5.0	
Ty'r Shyme	6.0	
Gwent		
Craig Yr Arail	58.0	
Gwynedd		
Aberdunant, Lot 5	16.5	
Amnodd Wood	87.5	
Cefn Glas	12.0	
Cwm Prysor	56.0	
Gwinllan Rhos Ddu	10.0	
Rhiwbach and Tyddyn Bach	106.0	[1]—
Powys		
Y Wern	453.0	[1]—
West Glamorgan		
Craig Ynysgollen	10.0	
Nant Y Stalwyn	44.0	

[1] Indicates CPA agreement.

Ms Ruddock: To ask the Secretary of State for Scotland what measures are being taken to improve public access in Forestry Commission land which *(a)* has already been sold off and *(b)* may be sold in the future; and what further options are currently under consideration. [33807]

Mr. Kynoch *[holding answer 20 June 1996]:* We encourage private owners to allow public access to their woodlands, irrespective of whether the woodlands were previously owned by the Forestry Commission. We also provide grants to help private owners provide facilities for public recreation.

The Forestry Commission encourages public access to all its woodlands, subject only to legal constraints or considerations of safety, irrespective of whether the woodlands may be sold in the future. The commission is now increasing and enhancing its recreation facilities for day visitors; promoting access on foot by identifying its forests on Ordnance Survey maps and by placing distinctive "Walkers Welcome Here" badges at the entrances to forests; and encouraging local residents and visitors to take advantage of the many leisure activities that are possible in its woodlands.

Ms Ruddock: To ask the Secretary of State for Scotland if he will list all the occasions on which a Minister from his Department has made policy statements about continued public access to forests when Forestry Commission land is sold off, indicating the name of the Minister and the date and context of the statement in each case. [33803]

Mr. Kynoch *[holding answer 20 June 1996]:* The information is as follows:

16 June 1989, by my right hon. Friend the Secretary of State in a statement to the House of Commons about the Government's future plans for the disposal of Forestry Commission land;

21 November 1990, by my right hon. Friend the Secretary of State in a statement to the House of Commons about continued public access to woodlands disposed of by the Forestry Commission;

September 1991, by my right hon. Friend the Secretary of State in "Forestry Policy for Great Britain", published by the Forestry Commission;

19 July 1994, by right hon. Friend the Secretary of State in a statement to the House of Commons about the Government's conclusions from the forestry review;

August 1994, by my right hon. Friend the Secretary of State in "Our Forests: The Way Ahead", (Cm 2644);

26 March 1996, by me in a statement to the House of Commons setting out the revised procedures for protecting continued public access.

DEFENCE

Customer Charters

Mr. Donohoe: To ask the Secretary of State for Defence if he will list *(a)* the customer charters which are currently in use within his Department and its executive agencies and *(b)* the charters which have been withdrawn. [32830]

Mr. Arbuthnot: My Department keeps no central record of the customer charters which are currently in use. Many areas of the Ministry of Defence have drawn up statements of the service standards which they have committed themselves to provide to internal or external customers as appropriate. Of the Ministry of Defence's agencies, the Pay and Personnel Agency and the Meteorological Office have customer charters. The Defence Secondary Care Agency and the Queen Victoria School abide by the national patient's charter and the Scottish parents charter, respectively. None of the Department's agencies' customer charters has been withdrawn.

Porton Down

Mr. Livingstone: To ask the Secretary of State for Defence for what reasons files with the classmarks WO 188/473–4, WO 188/652 and WO 188/656 recorded at the Public Record Office concerning the work of the Chemical and Biological Defence Establishment at Porton Down are currently retained by his Department; and if he will consider opening them under the open government initiative. [34467]

Mr. Arbuthnot: Arrangements are being made to review the papers listed at the Public Record Office under references WO 188/473–4, WO 188/652 and WO 188/656 to establish whether release into the public domain is now possible. I will write to the hon. Member on completion of the review process.

Property Sales

Mr. Cox: To ask the Secretary of State for Defence what was the amount of revenue received by his Department from the sale of ex-military accommodation in the United Kingdom during 1995. [34632]

Mr. Arbuthnot: The receipts from the disposal of married quarters are not recorded separately from the receipts from the sale of other property and this information could be obtained only at disproportionate cost. Overall disposal receipts for financial year 1995–96 were £63.4 million.

Decimomannu

Mr. Redmond: To ask the Secretary of State for Defence when the last RAF deployments to Decimomannu will take place; what range facilities will be used for the training currently undertaken at Decimomannu; and what is the estimated saving from ceasing to use Decimomannu. [34642]

Mr. Soames: It is currently envisaged that RAF flying will cease at Decimomannu in autumn 1997. Some of the training currently undertaken there will be transferred to existing ranges in the UK and Germany, where spare capacity exists. It is expected that the decision to withdraw from Decimomannu will save some £8 million to £10 million per annum.

RAF Deployment (Arizona)

Mr. Redmond: To ask the Secretary of State for Defence what are the dates of the next scheduled RAF deployment to Marine Corps air station Yuma, Arizona. [34643]

Mr. Soames: I refer the hon. Member to the answer given to him on 12 March 1996, *Official Report*, column *509*.

Procurement Costs

Dr. David Clark: To ask the Secretary of State for Defence if he will list his Department's 25 most expensive current procurement projects; what was the original estimated cost of each of these projects at today's prices; what is the current estimated final cost of each of the projects; and if he will list the delays in the in-service dates of these projects. [33999]

Mr. Arbuthnot: My Department's most recent annual "Major Projects Report", MPR95, to the Committee of Public Accounts, lists the current 25 most expensive projects and details the original estimated cost, the current cost estimate and the delays in the in-service dates. A copy of this document is in the Library of the House.

Army Equipment

Dr. David Clark: To ask the Secretary of State for Defence if the trends in the availability of Warrior vehicles, Challenger tanks and the multiple-launch rocket system, as indicated by the Army's battlefield equipment reliability returns, have improved over the past three years; and if he will make a statement. [34460]

Mr. Arbuthnot: The battlefield equipment reliability return system was introduced during 1994 and BERR data are not therefore available for the whole period. However, the figures obtained from Army equipment availability reporting systems indicate that availability rates for Warrior and Challenger 1 have improved considerably over the past three years. Both these vehicles have consistently achieved availability rates in excess of 90 per cent. when deployed to Bosnia. The multiple launch rocket system fleet was undergoing a major base modification programme during 1994–95, which meant that availability rates for this equipment fell. Although two of the three MLRS regiments have undertaken operational tours in Northern Ireland during 1994–95, there has been a slight improvement in MLRS availability over the last year.

Roll on/Roll off Ferries

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on the purchase by his Department of two roll on/roll off ferries; and if he will state the nationality of the crews to be deployed on these ferries. [34457]

Mr. Arbuthnot: A number of possible enhancements to the civil and military strategic lift available to the Joint Rapid Development Force have been examined. In the short term, the intention is to issue an invitation to tender and take subsequent contract action to charter one roll on/roll off ship, for transporting lead elements of the JRDF.

The longer-term option, for the second of the two vessels required, include new build, the purchase or lease of an existing vessel and the involvement of the private finance initiative.

Subject to the outcome of tender evaluation, the options for crew would be either Royal Fleet Auxiliary or nationals from countries in NATO or western Europe.

Royal Navy (Fuel)

Dr. David Clark: To ask the Secretary of State for Defence how much feel was allocated to the surface flotilla in 1995–96; and how much is planned for 1996–97. [34458]

Mr. Arbuthnot: The information requested is shown in the table, in cubic metres. The figures for 1995–96 show the quantity of fuel procured for issue to the surface flotilla. The figure for marine gas oil is approximate because its use is not centrally controlled after budgets

have been agreed. The figures for 1996–97 reflect current plans; actual amounts will be governed by operational circumstances during the year.

	FY 1995–96	*FY 1996–97*
Dieso F76[1]	209,000	225,000
Marine gas oil	20,000	33,000

[1] Fuel produced by refineries to specific NATO standards.

Dr. Clark: To ask the Secretary of State for Defence how much fuel was purchased for allocation to the Royal Navy fleet in 1992–93. [34459]

Mr. Arbuthnot: Total quantities of fuel purchased in 1992–93 are shown in the table. These include fuel purchased for shore establishments and vessels other than Her Majesty's ships, as well as those for allocation to the fleet. Segregation of quantities for allocation to the Royal Navy fleet alone could be undertaken only at disproportionate cost.

Dieso F76[1]: 596,000 cu m

Avcat F44[1]: 46,000 cu m

Marine Gas Oil[2]: 35,000 cu m

[1] These fuels are produced by refineries to specific NATO standards.

[2] Commercially supplied fuel for ships.

Correspondence

Ms Rachel Squire: To ask the Secretary of State for Defence when he expects to answer the correspondence he has received from the hon. Member for Dunfermline, West concerning the sale of his property in Rosyth to the Home housing association. [34795]

Mr. Arbuthnot: My noble Friend the Under-Secretary of State for Defence wrote to the hon. Member today.

Compliance Cost Assessments

Mrs. Roche: To ask the Secretary of State for Defence what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34142]

Mr. Arbuthnot *[holding reply 26 June 1996]:* I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on Wednesday 26 June 1996, *Official Report*, column *119*.

NORTHERN IRELAND

Licensing Authority

Mr. Simon Hughes: To ask the Secretary of State for Northern Ireland on what date he last attended a meeting in his role as a member of the Licensing Authority. [33849]

Mr. Moss: The Licensing Authority does not meet to consider its functions under the Medicines Act 1968. There is no statutory requirement for such meetings to be held.

Pacific Institute

Dr. Hendron: To ask the Secretary of State for Northern Ireland what expenditure has been incurred by each department in respect of courses delivered by the Pacific Institute. [34088]

Sir John Wheeler: Expenditure incurred by the Northern Ireland Departments and the Northern Ireland Office in respect of courses delivered by the Pacific Institute is:

Department of Environment: £90,000.

The DOE also has a contract with the institute for the supply of the institute's investment in excellence programme to its staff with delivery being undertaken by the Department's trainers over three financial years. The contract is formulated on a per capita basis for some 8,500 staff and it is estimated will cost in the region of £750,000. In addition, £11,000 has been provided through the Making Belfast Work initiative to enable a version of the investment in excellence programme to be made available to disadvantaged groups.

Department of Finance and Personnel: £4,200.

Department of Economic Development: £12,194.

The Departments of Agriculture, Education, Health and Social Services and the Northern Ireland Office have not incurred any expenditure in respect of the Pacific Institute.

Citybus and Ulsterbus

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many cars are currently provided to managers to service their work who are employed by Citybus and Ulsterbus; and what is the cost of the provision of private mileage in respect of cars provided to managers in Citybus and Ulsterbus. [34072]

Mr. Moss: Currently, 40 managers employed by Citybus and Ulsterbus are provided with cars. Information on the cost of private mileage is not readily available.

De Lorean Case

Mr. Tim Smith: To ask the Secretary of State for Northern Ireland what have been the total legal fees to date incurred in the Government's lawsuit against Arthur Andersen and Co. in the De Lorean case. [34565]

Mr. Ancram: The amount of legal fees incurred in the Government's action against Arthur Andersen and Co. in the De Lorean case is a matter between the Government and their lawyers. Disclosure while the legal action continues would not be in the public interest.

Police and Criminal Evidence (Northern Ireland) Order 1989

Mr. Maginnis: To ask the Secretary of State for Northern Ireland when he intends to publish revised codes of practice prepared under article 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989, and when he intends to publish a code of practice on tape-recording of interviews under article 60 of the same order. [35079]

Sir John Wheeler: My right hon. and learned Friend has today laid before both Houses draft codes of practice prepared under articles 60 and 65 of the Police and Criminal Evidence (Northern Ireland) Order 1989 with the intention of making an order to bring the codes into operation from midnight on 28 July 1996. The drafts were

prepared following wide consultation last year. They cover the exercise of stop and search powers and the searching of premises and in regard to the treatment, questioning and identification of suspects by police. A draft code of practice on the tape-recording of interviews has also been included with the revised codes laid today.

Child Support Agency

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what plans he has for further changes to the administration of the Child Support Agency. [35204]

Mr. Moss: I am pleased to announce that a new Child Support Agency compensation scheme has been introduced in Northern Ireland following its introduction in Great Britain.

The scheme includes a provision to make compensation payments for delays in issuing maintenance application forms, MAFs, which are issued to the parent with care, and maintenance enquiry forms, MEFs, which are issued to the absent parent.

Where the assessment is completed before 1 April 1996, compensation will be considered where a delay exceeding three months, for which the agency is culpable, and which leads to a loss of opportunity to receive child maintenance which would otherwise be received, occurs. Where the assessment is completed on or after 1 April 1996, however, payments will be made if the delay exceeds one month, unless the agency needs to make further inquiries before issuing a MEF, when the delay period will be two months. The respective delays in cases where the assessment replaces an existing court order are six months, two months and four months.

Additionally, a new type of consolatory payment will be introduced. In cases where the agency is culpable of sending a MEF to a person who is not the parent of the child, or children, in question, that person will be entitled to a consolatory payment of £100 to compensate for the upset and inconvenience caused by this error. This new payment will apply where the MEF is issued on or after 1 April 1996.

These changes build on the existing arrangements which cover other losses incurred as a result of maladministration. They should ensure that compensation reaches those who do not receive an acceptable level of service in this area from the agency. The new arrangements mean the Child Support Agency now has a compensation scheme which has been designed in the light of experience to meet the special circumstances of its responsibilities.

Prison Service

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland when the Northern Ireland Prison Service intends to publish its 1996 corporate and business plan; and what performance targets have been set for 1996–97. [35205]

Sir John Wheeler: The Northern Ireland Prison Service's 1996 corporate and business plan was published today. For 1996–97, the following key performance targets have been set:

1. To ensure 100 per cent. security for prisoners in high and top-risk categories; and to ensure at least 99.5 per cent. security of prisoners in medium and low risk categories.

2. To ensure that the number of significant breaches does not exceed 7.9 per 100 prisoners.

3. To increase the proportion of prisoner places with access to sanitation at all times of the day and night to 100 per cent.

4. To achieve an average 10 per cent. improvement in constructive activity hours.

5. To conduct a customer satisfaction survey of visitors in each establishment; and to complete an extension to the visitors centre at Her Majesty's prison, Maghaberry.

6. To extend eligibility for sentence planning to life sentence prisoners and to ensure that at least 50 per cent. of all eligible prisoners have a sentence plan and that all new committals who are eligible and who want a sentence plan will have one within three months of the date of committal.

7. To ensure that the average cost per prisoner place does not exceed £76,329.

8. To achieve an average of five days' training per member of staff.

Higher Education Expenditure

Mr. Worthington: To ask the Secretary of State for Northern Ireland (1) if he will list public expenditure on higher education in Northern Ireland, including public expenditure on student maintenance, in *(a)* cash terms, *(b)* real terms and *(c)* expressed as a percentage of United Kingdom gross domestic product, for the financial years from 1989–90 to 1998–99; [34093]

(2) if he will list public expenditure on higher education in Northern Ireland, excluding public expenditure on student maintenance, in *(a)* cash terms, *(b)* real terms and *(c)* expressed as a percentage of United Kingdom gross domestic product for the financial years from 1989–90 to 1998–99. [34094]

Mr. Ancram *[holding answer 26 June 1996]:* Public expenditure on higher education in Northern Ireland for the financial years 1989–90 to 1998–99 is as follows:

Financial year	*Higher education expenditure excluding student maintenance (£ million)*		*Higher education expenditure including student maintenance (£ million)*	
	Cash terms	*Real terms*	*Cash terms*	*Real terms*
1989–90	102	128	155	194
As percentage of UK GDP	0.019	—	0.029	—
1990–91	101	117	176	204
As percentage of UK GDP	0.018	—	0.032	—
1991–92	97	106	207	226
As percentage of UK GDP	0.017	—	0.036	—

Financial year	Higher education expenditure excluding student maintenance (£ million) Cash terms	Higher education expenditure excluding student maintenance (£ million) Real terms	Higher education expenditure including student maintenance (£ million) Cash terms	Higher education expenditure including student maintenance (£ million) Real terms
1992–93	98	103	229	240
As percentage of UK GDP	0.016	—	0.038	—
1993–94	103	105	244	248
As percentage of UK GDP	0.016	—	0.038	—
1994–95	121	121	253	253
As percentage of UK GDP	0.018	—	0.037	—
1995–96	132	128	260	253
As percentage of UK GDP	0.019	—	0.037	—
1996–97	127	120	259	245
As percentage of UK GDP	0.017	—	0.034	—
1997–98	127	117	260	240
As percentage of UK GDP	0.016	—	0.033	—
1998–99	127	115	263	238
As percentage of UK GDP	0.015	—	0.031	—

1. Student maintenance expenditure has been taken to include all student support expenditure including tuition fees and loans.
2. Financial year figures for 1989–90 to 1995–96 are actual out-turn, figures for 1996–97 to 1998–99 are planning figures.
3. Real term figures are calculated at 1994–95 prices.

AGRICULTURE, FISHERIES AND FOOD

Cattle Slaughter Scheme

Miss Emma Nicholson: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that injured cattle are given priority in abattoirs during the bovine spongiform encephalopathy culling programme. [34107]

Mrs. Browning: One of the key principles of the allocation of slaughtering to abattoirs under the over-30-month slaughter scheme is that the slaughter of casualty animals should be given priority. Special arrangements have therefore been made for the handling of such animals. Cattle which are unfit to travel or injured can be slaughtered on-farm by licensed slaughtermen and subsequently transported to a designated slaughterhouse on a dedicated day or direct to an approved incinerator for disposal. A freephone service provides farmers with a single contact point to arrange for the efficient and humane slaughter of casualty animals.

Ruminant Protein Feed Ban

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what agency had responsibility for policing the ruminant protein feed ban introduced in 1988. [34432]

Mrs. Browning: The state veterinary service and local authorities are jointly responsible for policing the 1988 ruminant protein feed ban in ruminant feed and subsequent legislation.

Cod Prices

Mr. William O'Brien: To ask the Minister of Agriculture, Fisheries and Food if he will publish the wholesale and retail price of cod for each quarter period in the past two years. [34335]

Mr. Baldry: The information requested is shown in the table. The average retail prices are for fresh cod fillets. The available data for first-hand selling prices relate to average landed values for whole fish.

Period	Retail price (p/kg)	Average landed value (p/kg)
1994		
Quarter 2	582	95
Quarter 3	584	98
Quarter 4	577	112
1995		
Quarter 1	549	95
Quarter 2	555	83
Quarter 3	551	87
Quarter 4	555	97
1996		
Quarter 1	[1]451	89

[1] Not comparable with earlier quarters because of changes in specification.

1. The average retail prices are based on price information used by the Office of National Statistics in compiling the Retail Prices Index.
2. Landed prices throughout this table are based on realisations for first hand sales of fish to all outlets, i.e. for human consumption and also for other uses such as fish meal and animal feedingstuffs. The average value is based on the total landings by the UK fleet, i.e. landings by UK vessels into both the UK and abroad.

Slaughterhouse, Nuneaton

Mr. Olner: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the closed slaughterhouse situated in Nuneaton. [34407]

Mrs. Browning: I assume that the hon. Member is referring to the premises of ABP Ltd. The Abattoir, Saint Mary's road, Nuneaton. These premises are licensed under the Fresh Meat (Hygiene and Inspection) Regulations 1995. Decisions about its future are a commercial matter for the company.

Beef Ban

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food on the assumption that the United Kingdom fulfils all its obligations and commitments agreed at Florence, when he expects the beef ban to be lifted in its entirety. [34741]

Mrs. Browning: I refer the hon. Gentleman to the statement made by the Prime Minister on 24 June, *Official Report*, column *21*, on the outcome of the European Council, Florence.

Bovine Spongiform Encephalopathy

Mr. Sweeney: To ask the Minister of Agriculture, Fisheries and Food when he plans next to publish a report on bovine spongiform encephalopathy. [35203]

Mr. Douglas Hogg: A further report on BSE in Great Britain will be placed in the Library of the House on Monday 1 July. Copies will also be made available at the royal show.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure the safe disposal of fleshings from the hide of BSE cull cattle; and if he will make a statement. [33649]

Mrs. Browning *[holding answer 25 June 1996]:* The whole bodies, including the hides and fleshings, of cattle confirmed or suspected of having BSE are destroyed.

Fleshings and trimmings from hides of other cattle aged over 30 months must be stained with tartrazine, kept separate from other by-products and removed in a sealed container to either an officially approved rendering plant or an incinerator for destruction.

Quarantine

Mr. Soley: To ask the Minister of Agriculture, Fisheries and Food what plans he has to change the quarantine rules for pets coming to Britain from *(a)* Australia and *(b)* other countries. [30252]

Mrs. Browning *[holding answer 21 May 1996]:* The Government have no plans to change the current import regulations for pet animals entering the UK.

Slaughtered Cattle

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many cattle were slaughtered in the United Kingdom under the 30-month scheme in the weeks beginning *(a)* 6 May and *(b)* 13 May. [32453]

Mr. Baldry *[holding answer 12 June 1996]:* The number of cattle slaughtered under the scheme for the weeks in question was *(a)* 5,873 and *(b)* 21,260.

Animal Welfare

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* United Kingdom legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility. [34294]

Mrs. Browning *[holding answer 25 June 1996]:* The information requested is as follows:

Domestic legislation

Welfare of animals on farm

Docking and Nicking of Horses Act 1949 (Ch 70).

The Protection of Animals (Anaesthetics) Act 1954 and 1964 (Ch 46 and Ch 39).

Veterinary Surgery (Exemptions) Order 1962 (SI 1962 No. 2557).

Veterinary Surgeons Act 1966 (1966 Ch 36).

Agriculture (Miscellaneous Provisions) Act 1968 (1968 Ch 34).

Veterinary Surgery (Exemptions) Order 1973 (SI 1973 No. 308)

The Docking of Pigs (Use of Anaesthetics) Order 1974 (SI 1974 No. 798)

The Welfare of Livestock Deer Order 1980 (SI 1980 No. 593)

The Removal of Antlers in Velvet (Anaesthetics) Order 1980 (SI 1980 No. 685).

The Welfare of Livestock (Prohibited Operations) Regulations 1982 (SI 1982, No. 1884).

The Protection of Animals (Anaesthetics) (Amendment) Order 1982 (1982 No. 1626).

Veterinary Surgery (Exemptions) (Amendment) Order 1982 (SI 1982 No. 1627).

The Welfare of Livestock (Prohibited Operations) (Amendment) Regulations 1987 (SI 1987 No. 114).

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1988 (SI 1988 No. 526).

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1991 (SI 1991 No. 1412).

The Welfare of Livestock Regulations 1994 (SI 1994 No. 2126).

Welfare of animals at market

The Welfare of Animals at Markets Order 1990 (SI 1990 No. 2628).

The Welfare of Animals at Markets (Amendment) Order 1993 (SI 1993 No. 3085).

The Welfare of Horses at Markets (and other Places of Sale) Order 1990 (SI 1990 No. 2627).

Welfare of animals during transport

The Transit of Animals Order 1927 (SI 1927 No. 289).

The Transit of Animals (Amendment) Order 1927 (SI 1927 No. 399).

The Animals (Sea Transport) Order 1930 (SI 1930 No. 923).

The Transit of Animals (Amendment) Order 1931 (SI 1931 No. 750).

The Transit of Animals (Sea Transport) (Amendment) Order 1932 (SI 1932 No. 4984).

The Transit of Animals (Amendment) Order 1939 (SI 1939 No. 5842).

The Horses (Sea Transport) Order 1952 (SI 1952 No. 1291).

The Horses (Sea Transport) Amendment Order 1958 (SI 1958 No. 1272).

The Export of Horses (Veterinary Examination) Order 1966 SI 2966 No. 507).

The Export of Horses (Excepted Cases) Order 1969 (SI 1969 No. 1742).

The Export of Horses (Protection) Order 1969 (SI 1969 No. 1784)

The Transit of Animals (General) Order 1973 (SI 1973 No. 1377).

The Transmit of Animals (Road and Rail) Order 1975 (SI 1975 No. 1024).

The Importation of Animals Order 1977 (SI 1977 No. 944)

The Export of Horses and Ponies (Increase in Minimum Values) Order 1978 (SI 1978 No. 1748).

The Transit of Animals (Road and Rail) (Amendment) Order 1979 (SI 1979 No. 1013)

The Export of Animals (Protection) Order 1981 (SI 1981 No. 1051).

The Transit of Animals (Amendment) Order 1988 (SI 1988 No. 815).

The Welfare of Poultry (Transport) Order 1988 (SI 1988 No. 851).

The Welfare of Poultry (Transport) (Amendment) Order 1989 (SI 1989 No. 52).

The Welfare of Animals During Transport Order 1994 (SI 1994 No. 3249).

The Welfare of Animals During Transport (Amendment) Order 1995 (SI 1995 No. 131).

Welfare of animals at slaughter

The Welfare of Animals (Slaughter or Killing) Regulations 1995 (SI 1995 No. 731).

Other legislation which have welfare implications

The Animals (Miscellaneous Provisions) Order 1927 (SI 1927 No. 290).

The Animals (Miscellaneous Provisions) Order 1938 (SI 1938 No. 5674).

Agriculture (Miscellaneous Provisions) Act 1976 (Ch 55).

Animal Health Act 1981 (Ch 22)

Animal Health Act 1981 (Amendment) Regulations 1992 (SI 1992 No. 3293).

EC Legislation

EC Directive 88/166 laying down minimum standards for the protection of laying hens kept in battery cages.

EC Directive 91/628 on the protection of animals during transport.

EC Directive 91/629 laying down minimum standards for the protection of calves.

EC Directive 91/630 Laying down minimum standards for the protection of pigs.

EC Directive 91/119 on the protection of animals at the time of slaughter or killing.

EC Directive 95/29 ammending EC directive 91/628 on the protection of Animals during transport.

European Conventions

European Convention for the protection of Animals kept for farming purposes.

European Convention for the protection of animals during international transport.

European Convention for the protection of animals for slaughter.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34295]

Mrs. Browning *[holding answer 25 June 1996]:* The number of posts complemented in the Ministry's animal welfare division and welfare at slaughter section and the associated sections of veterinary staff based at Ministry headquarters is as follows:

	Number
Grade 5	1.5
Personal Sec	1.5
G7	4
SEO	3.75
HEO(D)	2
HEO	4.25
EO	5.55
AO	5.5
AA	7.5
Typist	0.8
Veterinary Advisers	2.5
Livestock Transport Adviser	1

For the veterinary field service, analysis of work recording data for 1995–96 show that the following full-time equivalent staff years were spent on animal welfare by broad grade band:

	Staff years
Veterinary grades (GB)	49.0
Technical grades (GB)	11.5
Administrative grades (England)	5.4
Total	66.9

The above figures do not include time spent by the Veterinary Laboratory Agency, the Meat Hygiene Service or ADAS on welfare matters, or the time of other officers of the Ministry—senior officials, lawyers, press officers and others—who spend part of their time on animal welfare.

EU Agriculture Council

Mr. Brazier: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Luxembourg on 24 to 26 June; and if he will make a statement. [35202]

Mr. Douglas Hogg: I represented the United Kingdom at this Council, accompanied by my noble Friend the Under-Secretary of State for Scotland. Following the decision by Heads of Government in Florence to increase the amount of financial aid for EU beef farmers affected by the current crisis, the Council unanimously allocated 850 mecu among member states for urgent income support measures. Of this, I secured some £112 million for UK farmers, which, at about 15.5 per cent. of the total sum, compares favourably with our 13.8 per cent. share of the EU beef cattle herd.

The Council discussed in detail the Commission's proposals to set CAP prices for 1996–97 and to reform the EU fruit and vegetable regimes. It reached no conclusion on these dossiers and will resume discussion on them at its July meeting. However, in order to avoid a legal hiatus, the Council unanimously adopted five regulations setting prices at the same level as currently apply, in sectors where regulations are due to expire on 30 June.

At my request, the Agriculture Commissioner undertook an urgent review of the arrangements applying to malt export refunds and agreed to make appropriate proposals in time for the 1996–97 export season to ensure stability and confidence in this important sector, taking account of the need for market balance and the EU's international commitments.

I pressed the Commission and incoming presidency for early progress on the proposals to improve the welfare of veal calves. I also supported a German request for urgent steps to be taken on the welfare of hens in battery cages.

The Council adopted by qualified majority (Germany and Sweden voting against) a proposal concerning the financing of veterinary inspections. It adopted by qualified majority, with Germany and Greece opposing, a proposal to reduce the entry price relating to imports of sour cherries. The Council also appointed Dr. Bart Kiewiet as President of the Community Plant Variety Office.

Written Answers to Questions

Monday 1 July 1996

HOUSE OF COMMONS

Performance Assessment

Mr. Spearing: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, to what extent the Commission has *(a)* encouraged and *(b)* permitted competitive performance assessment (i) within Departments of the House and (ii) between their respective employees. [34670]

Mr. Beith: *(a)* Performance-related pay was introduced several years ago for staff in the non-industrial grades in the civil service and the Commission approved the introduction of similar arrangements for appropriate groups of staff in the House in order to keep "broadly in line" with the civil service as required by the House of Commons (Administration) Act 1978.

(b) Performance pay in the House takes two different forms, depending upon the grade of the post. Competitive performance assessment exists for staff in grade 7 and above. Pay increase are dependent upon the box marks awarded in the staff annual report and the competitive element arises because the performance awards are paid from a performance budget, usually equal to 2 per cent. of the pay bill. For staff in grade 8 and below, the competitive element does not exist because performance awards, again dependent upon annual report box marks, are made in accordance with a progression chart without regard to a predetermined budget.

(i) The performance pay budgets are set on a House-wide basis for each of the grades at grade 7 and above, rather than by Department. The element of competition is therefore House-wide.

(ii) There is competition between individual members of staff at a particular grade level, at grade 7 and above.

Parliamentary Groups Inquiry

Mr. Purchase: To ask the Chairman of the Administration Committee when he expects the Committee to conclude its inquiry into all-party and parliamentary groups; and if he will make a statement. [35212]

Mr. Michael J. Martin: I am pleased to advise my hon. Friend that at its meeting on 18 June, the Administration Committee agreed its report on all-party and parliamentary groups. The Committee makes several recommendations which, if approved by the House, would mean that the current written undertaking given by such groups seeking registration would be amended significantly to remove any existing imprecisions, and to be otherwise tightened up. Hon. Members may obtain copies of the report, HC (1995–96)494, from the Vote Office.

TRADE AND INDUSTRY

Launch Aid

Mr. Gordon Prentice: To ask the President of the Board of Trade what plans he has to review the take-up and effectiveness of launch aid; and if he will make a statement. [34998]

Mr. Eggar: My Department already reviews regularly the returns from previous launch aid contracts.

EU Research Programme

Mr. Randall: To ask the President of the Board of Trade if he will list the research projects in Britain which have been financed in whole or in part by the European Union's third research framework programme. [34948]

Mr. Ian Taylor: Full information on research projects funded in individual member states by the European Union's third framework programme for research and technological development, which ran from 1990 to 1994, is held only by the European Commission. It is not distributed to member states. UK researchers have, however, participated vigorously in the EU's framework programmes. Commission statistics show that 2,337 UK research teams participated in projects funded under the third framework—more than in any other member state. The indications are that UK researchers are continuing to participate strongly in the fourth framework programme, which runs from 1994 to 1998.

European Funding

Mr. Charles Kennedy: To ask the President of the Board of Trade if he will make a statement on progress in respect of the Barmac N166 site objective 1 application. [34833]

Mr. Eggar: The approval of the European Commission is required under the terms of the seventh shipbuilding directive for public investment in Barmac's project as presently constituted.

Since the end of February, there have been a number of discussions and meetings between the company, officials of the Scottish Office and those of my shipbuilding unit and oil and gas project supplies office. An informal meeting was held on 13 June between those DTI officials and those of the European Commission's directorate general IV responsible for interpreting and enforcing the seventh shipbuilding directive, at which the Commission asked for clarification of certain issues before approval of the grant could be considered.

A further meeting was held between the company and my officials on 24 June to review the progress of its application, the information requested by the Commission and the options open to Barmac.

EU Internal Market

Mr. Merchant: To ask the President of the Board of Trade what decisions were taken at the EU ministerial Council on the internal market on 28 May; and what matters were voted upon. [35113]

Mr. Oppenheim: The right hon. Friend the Chancellor of the Duchy of Lancaster, the deputy UK permanent representative and I represented the UK at the Internal Market Council in Brussels on 28 May.

The Council reached common position by qualified majority voting on the sweeteners directive—Germany and Sweden opposed. The Council also reached unanimous political agreement on the common position on the directive on temporary authorisations for foodstuffs. Common positions on comparative and misleading advertising, exchange of information on measuring air pollution, monitoring of waste and protection of passengers in frontal collisions were agreed by A point procedure.

In accordance with UK non-co-operation in EU business, we blocked four measures requiring unanimity: two Council resolutions—administrative co-operation and legislative simplification in the internal market; a set of Council conclusions, accounting strategy; and an A point, Council decision on implementation of a Community action programme to strengthen the competitiveness of European industry.

Deregulation (Weights and Measures) Order 1996

Mr. Steen: To ask the President of the Board of Trade what is the estimated saving to business from the Deregulation (Weights and Measures) Order 1996. [34678]

Mr. John M. Taylor: The draft order contains three proposals to reduce the burdens on business:

verification of weighing or measuring equipment by manufacturers and others;

third party testing of equipment;

pre-test stamping of equipment.

The total savings will depend on how many businesses take up these options. Assuming take-up by about half of the businesses that already have equipment verified, it is estimated that businesses might save £4.3 million per annum in fees formerly paid to trading standards officers, to which can be added savings in businesses' indirect costs less the cost of operating one or other of the new options.

Radiation Illness

Mr. Clapham: To ask the President of the Board of Trade what assessment the Clifford Chance report on nuclear privatisations made of the number of workers likely to pursue damages claims for radiation-induced illness in the years *(a)* 1998, *(b)* 1999 and *(c)* 2000; and what was the estimated cost of meeting these claims. [34327]

Mr. Eggar *[holding answer 27 June 1996]:* I refer the hon. Member to the answer I gave him during the debate on 18 June, *Official Report*, column 780.

It is inevitable that some of those affected by radiation-induced illnesses, such as cancer, will work in the nuclear industry, but it is scientifically impossible to distinguish between a radiation induced cancer and a naturally occurring one.

ENVIRONMENT

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for the Environment if he will list the constituencies he has visited in the past three months on official business and the constituencies he intends to visit in the next three months; and if he will make a statement. [34356]

Mr. Gummer: During the past three months, I have visited:

Battersea
Brighton, Pavilion
Ipswich
Coventry, South-East
Holborn and St. Pancras
Dorset, West
Guildford
Spelthorne
Rutland and Melton
Sheffield, Attercliffe
Barnsley, East
Doncaster, Central
Brentford and Isleworth
Twickenham
Northavon
Milton Keynes—North-East
Birmingham—Selly Oak
Brighton, Kempton
Hove
Braintree
Ludlow
City of London and Westminster
Cambridge
Chichester
Rushcliffe
Sheffield, Central
Sheffield, Brightside
Don Valley
Kensington
Suffolk, Central
Salisbury
Milton Keynes, South-West
Birmingham, Small Heath

I have a number of visits planned over the next three months, but it is not my policy to make public details of my forward diary.

Rendering Plants

Mr. Alan W. Williams: To ask the Secretary of State for the Environment how many animal rendering plants there are in Britain; what are the procedures for the treatment of their effluent; how many discharge their effluent into the domestic sewerage system; and how many spray their effluent on to agricultural land. [34509]

Mr. Clappison: There are 36 rendering plants in Great Britain, authorised under the Animal By-Products Order 1992. Treatment of effluent will normally include the removal of solids and will reflect conditions in trade effluent consents issued by sewerage undertakers for

discharges to sewer, or conditions in consents from the Environment Agency for discharges direct to receiving waters. No central records of the number of rendering plants discharging effluent to sewer, or spraying it on agricultural land, are held by my Department or the Environment Agency.

Energy Saving Trust

Mr. Robert Ainsworth: To ask the Secretary of State for the Environment what mechanisms exist to reallocate money from the Energy Saving Trust to the home energy efficiency scheme. [34666]

Mr. Clappison: Uncommitted resources may be redeployed between the different parts of my Department's environment protection programme in accordance with the Government's priorities.

Mr. Ainsworth: To ask the Secretary of State for the Environment what Government funding has been made available to the Energy Saving Trust in the current financial year; what proportion of this funding has been committed to specific programmes; and what estimates he has made of the trust's actual expenditure during the period. [34667]

Mr. Clappison: The Government will make up to £25 million available to the Energy Saving Trust in 1996–97. More than 95 per cent. of this is for specific projects within a programme of work that has been agreed with the trust, the remainder covers the trust's management and administration costs. It is too early yet to estimate the outturn expenditure.

Waste Disposal

Sir David Steel: To ask the Secretary of State for the Environment what representations he has received opposing the implementation of a tax on waste disposal. [34587]

Mr. Clappison: The consultation paper setting out the Government's proposals for the introduction of a new tax on the disposal of waste to landfill was published on 21 March 1995 by seven Government Departments, including the Department of the Environment. Of the 720 responses that were received, 166 opposed the introduction of the tax.

Although this Department has received further representations about the introduction of the landfill tax, it keeps no central record of the number of representations that have been submitted.

Castle Cement

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what monitoring of plume grounding at Castle Cement in Clitheroe the Environment Agency has carried out since the earlier testing of air quality by the National Physical Laboratory. [34738]

Mr. Clappison: Observations of the plumes are made on a regular basis by Environment Agency inspectors. However, the agency does not consider that further monitoring would provide any additional useful information, since the monitoring carried out by the National Physical Laboratory during August and September 1995, using a mobile laboratory and differential scanning lidar, provided sufficient information for the Environment Agency to evaluate the position and to determine appropriate action. As a result, Castle Cement was required to submit proposals to the Environment Agency to resolve the problem of plume grounding, and these proposals are required to be implemented by 31 December 1996. Castle Cement has appealed to the Secretary of State for the Environment against the implementation time scale.

Homelessness

Mr. Cox: To ask the Secretary of State for the Environment how much money was given to each London borough council in revenue support grants settlement in relation to homelessness in the current financial year. [34594]

Sir Paul Beresford: It is not possible to specify a portion of revenue support grant—RSG—for revenue expenditure on homelessness because RSG is not hypothecated to particular services.

Energy Efficiency Voucher Scheme

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he has completed the assessment of his Department's energy efficiency voucher scheme; what has been the total cost to his Department of this initiative; how many householders have installed practical energy efficiency measures benefiting from discounts offered under the scheme; and if he will make a statement. [34865]

Mr. Clappison: The assessment is not complete, and I can not add to the answer given to the hon. Member on Wednesday 22 May, *Official Report*, columns *222–23*.

Community Charge

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what is the total amount of community charge still outstanding and owed to local authorities; and how much has been written off. [34858]

Sir Paul Beresford: The latest information relates to 31 March 1995. As at that date, we estimate that community charge arrears totalled £1,200 million, and write-offs totalled £430 million.

Albert Dock, Merseyside

Mr. Parry: To ask the Secretary of State for the Environment what representations have been made to the Government office on Merseyside by the Albert dock residents association concerning its lease when the Merseyside development corporation is wound up. [34461]

Sir Paul Beresford: The Government office for Merseyside has received three letters during the past two years from the Albert dock residents association concerning that lease and other issues.

Mr. Parry: To ask the Secretary of State for the Environment how many residents have had court proceedings taken against them by the Albert Dock company for leasing their apartment between 1 January 1989 and 1 January 1995. [34384]

Sir Paul Beresford: This is a confidential matter between the Albert Dock Company and each and every occupier, and I am unable to provide this information.

Mr. Parry: To ask the Secretary of State for the Environment if he will publish the clawback clauses included in the terms of the sale of the leases of properties by *(a)* the Albert Dock Company, *(b)* Barratt and *(c)* other companies within the Merseyside development corporation. [34487]

Sir Paul Beresford: The detailed terms of each and every sub-disposal by the Albert Dock Company, Barratt and, indeed, any other developer within the corporation's area is really a matter of negotiation between a purchaser of an interest and the seller of that interest. It is a confidential matter, and I am unable to provide the information required.

National Rivers Authority

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what was the value of the National Rivers Authority's receipts from water abstraction licensing and changes in each year of its operation. [34845]

Mr. Clappison: The receipts from water abstraction licensing and charges generated by the National Rivers Authority in each of the years of its operation are set out in the table.

National Rivers Authority: Income from water abstraction licensing and charges 1989–90 to 1995–96

	£ million
1989–90	79.2
1990–91	58.3
1991–92	64.6
1992–93	77.0
1993–94	77.3
1994–95	64.7
1995–96	80.3

Abattoirs

Mr. Hinchliffe: To ask the Secretary of State for the Environment (1) what research he has evaluated as to the size of filter pore needed to prevent possible contamination of potable water from abattoir discharges; [34776]

(2) what information he has collated as to how many water companies are requiring abattoirs involved in the national BSE cull to provide fine filter systems; [34777]

(3) what is his policy with regard to the provision of fine filter systems at abattoirs dealing with cattle from the national BSE cull; and if he will make a statement. [34778]

Mr. Clappison: The Spongiform Encephalopathy Advisory Committee has advised that filtration systems in abattoirs that are capable of removing particulate matter from effluent are adequate to prevent the infective agent being carried into the aquatic environment. The Environment Agency and water companies, who have statutory responsibilities for authorising discharges from abattoirs, ensure that the required standards are applied at relevant abattoirs. In addition, waste water receives further treatment at sewage treatment works. Natural processes within catchment areas and drinking water treatment processes form a further multiple barrier providing adequate protection for drinking water supplies.

Water Abstraction

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what percentage of the income from water abstraction licensing and changes came from *(a)* water undertakers, *(b)* industrial concerns and *(c)* private individuals last year. [34846]

Mr. Clappison: Last year—1995–96—87 per cent. of the income from water abstraction licensing and charges came from the water undertakers. Industrial concerns and private individuals accounted for the remaining 13 per cent. The Environment Agency does not keep central records enabling it to distinguish between the last two categories.

Mrs. Jackson: To ask the Secretary of State for the Environment how many new licences for water abstraction have been granted in each year since 1989 and in 1996 to date. [34847]

Mr. Clappison: The total number of new licence applications determined each year in England and Wales since March 1989 are as follows:

Year (April to March)	*Licences determined*
1989–90	1,041
1990–91	1,599
1991–92	1,781
1992–93	1,849
1993–94	1,489
1994–95	1,313
1995–96	1,339
1996–97 to date	399

These determinations include those of applications for impoundment. Records of applications granted are not kept centrally.

Torbay Ring Road

Mr. Steen: To ask the Secretary of State for the Environment when he proposes to publish the findings of the inspector's report on state 3/4 of the Torbay ring road; and if he will make a statement. [35128]

Sir Paul Beresford: The public local inquiry into this called in application closed on 10 June 1996, after 32 days sitting. Details of the expected time scale for announcing the decision will be published when the inspector's report is received by the Government officer for the south-west later this year.

Asylum Seekers

Mr. Thomason: To ask the Secretary of State for the Environment what are his plans for special grants to local authorities following the Court of Appeal's judgment on 21 June in respect of regulations withdrawing benefits from asylum seekers. [35447]

Mr. Curry: My right hon. Friend the Secretary of State for Social Security announced on 24 June that the Government intend to amend the Asylum and Immigration Bill so as to exclude from eligibility for

benefit certain asylum seekers and certain other persons from abroad. Other provisions in the Bill would make similar changes to eligibility for assistance under the homelessness legislation at about the same time as the benefit rules are changed. Any remaining costs to local housing authorities should be minimal.

Because housing benefit payments are now available to persons housed under the homelessness legislation since 5 February, the Government have decided that the proposed persons from abroad housing benefit special grant to local housing authorities is no longer required.

There is likely to be some continuing burden on social services departments in connection with supporting children in need and their families, and the Government's commitment to assist social services authorities with those costs, given earlier this year, remains unchanged. My right hon. Friend the Secretary of State for Health intends to lay a revised special grant report proposing a special grant to social services authorities. The terms of this grant are likely to be similar to the persons from abroad children's grant in the special grant report (No. 19) which was laid before Parliament on 6 June. The special grant report (No. 19) has been withdrawn.

Sulphur Protocol

Mr. Sweeney: To ask the Secretary of State for the Environment what consultations he plans on proposals for meeting the United Kingdom's commitments under the second sulphur protocol of the United Nations Economic Commission for Europe—UNECE. [35348]

Mr. Clappison: Because of the rapid progress which is being made in the United Kingdom in reducing emissions of sulphur dioxide—one of the main constituents of acid rain—we are on course to meet our international obligations under the second UNECE sulphur protocol. We published last Friday—28 June—a consultation paper setting out our preliminary conclusions on how this will be achieved. I have placed a copy in the Library of the House.

Under the terms of the protocol, the United Kingdom is committed to reducing national emissions of sulphur dioxide by 80 per cent. by 2010 compared with 1980 levels. This target is to be met through intermediate reductions of at least 50 per cent. by 2000 and 70 per cent. by 2005.

The paper shows that, in the light of current programmes for reducing emissions, particularly from power stations, the targets for 2000 and 2005 should be met without the need for additional measures. Over the longer term, we propose to keep the position under review in the light of any measures which may be required to meet short-term air quality standards—on which we shall shortly be publishing a consultation draft of a national air quality strategy—and any new initiatives in this area which may be agreed by the European Community.

The paper also reviews the performance of the existing national plan, which gives effect in the United Kingdom to the requirements of the EC large combustion plant directive, and sets out proposals for changes in its future operation. The aim of these changes will be to ensure future allocations of emissions quota under the national plan are more closely in line with regulatory consents under integrated pollution control.

The Environment Agency has introduced new flexibilities in the revised authorisations for the electricity supply industry in England and Wales which allow the generators to switch emissions between stations, provided that no adverse impact on the environment occurs. The agency is now examining how these arrangements can be extended to allow emissions to be similarly adjusted between different industrial plants by mutual agreement of the operators. Under the revised national plan for large combustion plant, there is no longer any gain in providing a scheme of transferable sulphur emissions quotas as was originally envisaged.

SCOTLAND

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Scotland (1) on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved; [33508]

(2) how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33509]

Lord James Douglas-Hamilton: The information about injuries is set out in the table:

Year	*Fatalities*	*Major injuries*	*Minor injuries*	*Information technology related (all minor)*
1995–96	Nil	4	219	2
1994–95	Nil	10	203	3
1993–94	Nil	14	249	0
1992–93	Nil	11	242	0
1991–92	Nil	4	271	0

During the past five years, the Health and Safety Commission has become involved in six cases—two in 1991–92 and four in 1993–94.

A central record of health and safety problems is not kept, since many are minor and dealt with routinely by line management. On average, however, my Department's health and safety adviser deals with about 15 queries a week.

Council Housing

Mr. McAllion: To ask the Secretary of State for Scotland what was the expenditure on council housing in *(a)* Scotland and *(b)* Dundee in (i) 1989–90 and (ii) 1995–96, expressed in 1995–96 prices. [33845]

Mr. Raymond S. Robertson: The table gives estimated expenditure in 1995–96, and actual expenditure in 1989–90 expressed in 1995–96 prices. It should be noted that expenditure in any year depends, in part, on the success of local authorities in generating capital receipts.

In 1989–90, the level of capital receipts generated by Scottish local authorities, including Dundee, considerably exceeded the estimated amount for 1995–96.

Total capital expenditure on Council Housing in Dundee and Scotland (£ million)

	Dundee	*Scotland*
1989–90 expenditure (at 1995–96 prices)	27.2	625.0
1995–96 estimated expenditure	15.6	425.1

Local Government Finance

Mr. Bill Walker: To ask the Secretary of State for Scotland what representations he has received about *(a)* the expenditure programmes and *(b)* the level of central Government funding provided to Perth and Kinross council and Angus council; and if he will make a statement. [34239]

Mr. Kynoch: I have received a number of representations about the revenue budgets set by Perth and Kinross and Angus councils and about the level of central Government funding which supports those budgets. On each occasion, I have taken the opportunity to point out that it is for each council to determine its own spending priorities within the total level of resources available to it. I have also drawn attention to the very generous level of Government support for Scottish local authorities.

Perth and Kinross council was able to increase its expenditure by £5.8 million, or 4.60 per cent., over its notional 1995–96 budget figure without breaching its capping limit; Angus council had scope to increase its expenditure by £4.7 million, or 4.47 per cent. In both cases, the increases were before any account was taken of the scope for efficiency savings.

Perth and Kinross council will receive Government support totalling £115.5 million in the current year, which is 20 per cent. more per head of population than the average level of support for English authorities. Angus council will receive support totalling £100.3 million, which is 23 per cent. more than the average English figure.

Agricultural Wages

Mr. Tom Clarke: To ask the Secretary of State for Scotland how many permits issued to individuals who are incapacitated for the purposes of the Agricultural Wages (Scotland) Act 1949 for the payment of lower minimum rates are currently in force; and what is their distribution by rates of pay. [34584]

Mr. Raymond S. Robertson: There are seven permits in force. They are distributed as shown in the table.

Number of permits	*Classification of worker*	*Full minimum weekly wage*
4	General farm worker	£150.55
1	Tractor worker	£168.55
1	Stockworker	£180.60
1	Supervisory	£181.30

Actual rates of pay vary in the range of 25 to 90 per cent. of the full minimum weekly wage, reflecting the degree of disability experienced by the worker.

Business Rates

Sir David Steel: To ask the Secretary of State for Scotland to what extent local assessors are permitted to take account of local economic circumstances when making assessments for business rates. [34588]

Mr. Michael Forsyth: Assessors are entirely independent of both local and central Government in the exercise of their statutory duties, and reach decisions on the rateable value of business premises in accordance with statute and case law. Economic circumstances in each area will affect rateable values to the extent that they will affect the rental evidence used by assessors in setting appropriate rateable values.

Sir David Steel: To ask the Secretary of State for Scotland what assessment he has made of the advantages of introducing a differential business rate for rural and urban areas. [34589]

Mr. Forsyth: I am well aware of the burden rates place on Scottish businesses, both rural and urban. That is why the Government have been pursuing a policy of harmonisation, to bring Scottish business rates to the same level as apply in England.

We are also very sympathetic to the problems of village shops and post offices. Research has shown that, while for most businesses rate bills are relatively small in relation to total turnover, they impose a more substantial burden on the smallest businesses, particularly in the retail sector. Shops and post offices in villages often exist on very low turnovers and, for them, the rates bill can represent a significant burden.

In the White Paper "Rural Scotland: People, Prosperity and Partnership" the Government announced their plans to bring forward a scheme to reduce the burden of rates on general stores and post offices which fulfil a special role in the life of the rural community, and I recently issued a consultation paper on the operation of such a scheme.

In line with the Government's aim to harmonise rating across the country, the intention is to introduce the scheme in Scotland, England and Wales simultaneously.

Statutory Measures

Mr. Steen: To ask the Secretary of State for Scotland how many statutory measures his Department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996 which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35029]

Mr. Kynoch: This information is not available in the form requested, but a list of regulations that have been repealed or amended was placed in the House Library by the Chancellor of the Duchy of Lancaster on 8 May.

Firearms (Circular Letters)

Mr. William Ross: To ask the Secretary of State for Scotland (1) if he will place in the Library an index of all Scottish Office circular letters, to police authorities since 1967 relevant to the Firearms Acts of 1968, 1988, 1992, and 1994 indicating the number and reference of the circular together with the date of issue and title; [34838]

(2) if he will place in the Library an index of all Scottish Office circular letters, to chief officers of police since 1967 relevant to the administration of the Firearms Acts of 1968, 1988, 1992 and 1994 indicating the number or reference of the circular together with the date of issue and title. [34840]

Lord James Douglas-Hamilton: Details of circulars relating to firearms in the numbered series are as listed:

Index of Scottish Office circular letters to chief constables since 1967

Year	Number of circular	Date of issue	Title
1967	24/67	30 August 1967	Firearms Certificates for Flare Signal Pens
1967	39/67	22 November 1967	Firearms Form 9A
1968	25/68	19 July 1968	Firearms Act 1968
1969	12/69	19 March 1969	The Firearms (Dangerous Air Weapons) (Scotland) Rules 1969
1975	16/75	1 July 1975	Firearms (Variation of Fees) (Scotland) Order 1975
1976	24/76	16 September 1976	Firearms (Variation of Fees) (Scotland) Order 1976
1976	28/76	10 December 1976	The Removal of Firearms to Northern Ireland
1977	2/77	20 January 1977	Firearms (Variation of Fees) (Scotland) No 2 Order 1976
1977	13/77	25 May 1977	Firearms (Removal to Northern Ireland) Order 1975
1979	4/79	20 February 1979	Firearms (Variation of Fees) (Scotland) Order 1979
1979	5/79	6 March 1979	Firearms (Variation of Fees) (Scotland) Order 1979
1979	8/79	18 April 1979	Firearms (Variation of Fees) (Scotland) 1979
1979	14/79	3 May 1979	Firearms (Variation of Fees) (Scotland) Order 1979
1983	10/83	20 July 1983	1. Firearms (Certificates granted in Great Britain and Air Weapons lawfully held in Great Britain Regulations (Northern Ireland) SI No 132 2. Firearms (Removal to Northern Ireland) Order 1975 SI 1975 No 760
1983	11/83	12 September 1983	Firearms Act 1982
1986	7/86	19 August 1986	Firearms (Variation of Fees) (Scotland) Order 1986
1994	4/94	24 May 1994	Firearms Certificate Returns

Index of Scottish Office circular letters to police authorities since 1967

Year	Number of circular	Date of issue	Title
1975	23/75	1 July 1975	Firearms (Variation of Fees) (Scotland) Order 1975
1976	36/76	16 September 1976	The Firearms (Variations of Fees) (Scotland) Order 1975
1977	2/77	20 January 1977	Firearms (Variation of Fees) (Scotland) (No 2) 1976 Order 1976
1978	6/78	16 March 1978	Firearms (Variation of Fees) (Scotland) Order 1978
1979	8/79	6 March 1979	Firearms (Variation of Fees) (Scotland) Order 1979
1979	11/79	18 April 1979	Firearms (Variation of Fees) (Scotland) Order 1979
1980	3/80	2 June 1980	Firearms (Variation of Fees) (Scotland) Order 1980
1986	4/86	19 August 1986	Firearms (Variation of Fees) (Scotland) Order 1986
1988	3/88	23 June 1988	Firearms Amnesty: Appeal for Surrender of Guns
1989	1/89	9 January 1989	The Firearms (Amendment) Act 1988
1989	6/89	31 May 1989	Firearms (Amendment) Act 1988: Second Commencement Order
1989	10/89	22 September 1989	Firearms (Amendment) Act 1988: Visitors Permit Scheme Removal of Arms and Ammunition to Northern Ireland
1990	4/90	9 May 1990	Firearms (Variation of Fees) (Scotland) Order 1990
1991	1/91	8 February 1991	Firearms (Amendment) Act 1988: Removal of Arms and Ammunition to Northern Ireland
1991	3/91	23 April 1991	Firearms (Amendment) Act 1988: Removal of Arms and Ammunition to Northern Ireland
1992	13/92	28 October 1992	Firearms Acts (Amendment) Regulations 1992—Guidance to Police
1993	4/93	24 June 1993	Firearms (Dangerous Air Weapons) (Scotland) Amendment Rules
1994	12/94	31 August 1994	The Firearms Amendment Act 1994
1996	3/96	23 April 1996	Firearms Amnesty: Appeal for Surrender of Guns

Child Abuse Inquiries

Mr. Milburn: To ask the Secretary of State for Scotland what was the total cost to public funds of *(a)* the Fife inquiry and *(b)* the report of the inquiry into child care policies in Fife. [35219]

Lord James Douglas-Hamilton: The costs incurred by the Scottish Office in relation to the inquiry were £830,000. They include direct running expenditure for Scottish Office staff, of £239,356, wholly seconded to the staff on the inquiry. The cost of printing the report of the inquiry was £15,000. Information on the costs to public funds incurred by others involved in the inquiry is not available.

Mr. Milburn: To ask the Secretary of State for Scotland what was the cost to public funds of the Orkney child abuse inquiry by Lord Clyde. [35140]

Lord James Douglas-Hamilton: The costs incurred by the Scottish Office in relation to the inquiry were £3,380,000. They include direct running expenditure for Scottish Office staff, estimated at £157,000, wholly seconded to the staff of the inquiry. The cost of printing the report of the inquiry was £10,500. Information on the costs to public funds incurred by others involved in the inquiry is not available.

DUCHY OF LANCASTER

Civil Service

Mr. Hawkins: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on training and development in the civil service. [35442]

Mr. Freeman: I am pleased to announce that I have presented to Parliament today the White Paper "Development and Training for Civil Servants: a Framework for Action". I have also placed in the Libraries of both Houses copies of tables detailing progress in the civil service towards gaining investors in people status.

The Government place great importance on increasing the skills of the UK work force in order to meet the challenges set out in the recent competitiveness White Paper, Cm 3300. The civil service has a vital role to play in delivering national competitiveness. The White Paper published today sets out a framework for achievement this necessary step change in training and development in the civil service.

The White Paper has three key themes: a strengthened commitment to the achieving of the investors in people standard across the civil service; a drive to raise the levels of skills and awareness of civil servants; and an emphasis on civil servants taking responsibility for their own development and careers in a supportive partnership between top managers, line managers and the individual.

In addition to key targets being monitored centrally for initiatives in the senior civil service and its feeder grades, Departments and agencies will be required to draw up action plans with their own stretching targets in the specific areas listed in the White Paper. There will be an annual progress report to Ministers on the collective performance of the civil service, which will be published.

The proposals in the White Paper will strengthen the civil service and give greater opportunities to individual civil servants. This White Paper is an important step in ensuring that the civil service is fully equipped to face the challenges of the future.

Health Information

Mr. Cann: To ask the Deputy Prime Minister what action he has taken since March to establish an independent committee to review the supply and dissemination of information within the services dealing with people in need of treatment; care and control. [34601]

Mr. Bowis: I have been asked to reply.

Following widespread consultation we published on 7 March guidance for the National Health Service—"The Protection and Use of Patient Information Between Agencies". Specific guidance on these matters is also contained in "Building Bridges". Copies of both documents are available in the Library.

PRIME MINISTER

Health and Safety

Mr. Ian McCartney: To ask the Prime Minister (1) what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000; [33490]

(2) on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved; [33488]

(3) how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities; [33489]

(4) what was the cost in each of the past five years of rectifying working conditions that were the responsibility of this Department and its agencies, to bring them up to acceptable health and safety standards, detailing incidents involving information technology and additionally those involving expenditure of more than £5,000. [33491]

The Prime Minister: For these purposes, my office is part of the Cabinet Office. I refer the hon. Member to the replies given by my hon. Friend the Parliamentary Secretary, Office of Public Service, on 27 June, *Official Report*, columns *189–92*.

Mr. McAvoy: To ask the Prime Minister if he will list his official engagements for Thursday 27 June.

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend the Prime Minister is attending the G7 summit in Lyon.

LORD PRESIDENT OF THE COUNCIL

Health and Safety

Mr. Ian McCartney: To ask the President of the Council what was the cost in each of the past five years of *(a)* sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33458]

Mr. Newton: Nil.

Mr. McCartney: To ask the Lord President of the Council on how many occasions in each of the past five years health and safety problems in his Department and its agencies have been reported via internal monitoring; and on how many occasions the Health and Safety Commission has become involved. [33456]

Mr. Newton: No such problems have been reported. I am not responsible for any agencies.

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Tests

Mr. Simpson: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* primary and *(b)* secondary legislative measures would be required to allow the comprehensive nuclear test ban treaty to be implemented. [34586]

Mr. David Davis: We anticipate that legislation may be required to implement certain provisions of the comprehensive nuclear test ban treaty. We shall consider the precise form and nature of any legislation in the light of the outcome of the negotiations.

BBC World Service

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed with British high commissioners the role and perception of the BBC World Service in the countries in which they serve; and if he will make a statement. [34592]

Mr. Hanley: All FCO posts overseas, including the high commissions, are asked in an annual information return to assess the impact of the BBC World Service in the country to which they are accredited. The last such exercise took place in April this year. The results show the BBC World Service is highly valued in Commonwealth countries.

Kashmir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed Kashmir with the Indian Government; and what specific problems were addressed. [34599]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary last discussed Kashmir in general terms with the previous Indian Foreign Secretary in London in November.

Mr. Mohd Bashir

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects a decision to be taken on an application made by Mr. Mohd Bashir, date of birth 8 January 1971, to the British post in Dubai to join his wife in the United Kingdom. [34813]

Mr. Hanley: I have asked the embassy at Dubai for details and will arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit as soon as possible.

Mr. Amanat Ali

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects a decision to be taken on the application made by Amanat Ali ref: Imm/D2604 to the British post in Islamabad to enter the United Kingdom; when Mr. Ali was interviewed; and if he will make a statement. [34812]

Mr. Hanley: I have asked the high commission at Islamabad for details and will arrange for the hon. Member to receive a substantive reply from the migration and visa correspondence unit as soon as possible.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the British representatives at the European Parliament as to the refusal of Mr. Denktash to allow members of the European Parliament to visit the Karpass area in occupied northern Cyprus and if he will make a statement. [34768]

Mr. David Davis: MEPs attending the 9th meeting of the EU/Cyprus Joint Parliamentary Committee discussed the issue of the Karpass with EU ambassadors in Nicosia 3 to 5 March. The Turkish Cypriot leadership is well aware of our views on the need to revoke the remaining restrictions on the basic freedoms in the Karpass. High commission officials regularly visit the Karpass.

UNESCO

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received about the United Kingdom rejoining UNESCO. [34821]

Sir Nicholas Bonsor: My right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs has received nine letters from Members of Parliament, organisations and members of the public in the last six months about the United Kingdom rejoining UNESCO. In addition there have been three parliamentary questions in the same period.

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the financial implications of the United Kingdom rejoining UNESCO. [34828]

Sir Nicholas Bonsor: We estimate that it would cost the United Kingdom approximately £11 million annually to rejoin UNESCO. In addition there would be extra staffing costs which have yet to be calculated.

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current management and functioning of UNESCO. [34831]

Sir Nicholas Bonsor: We have frequently acknowledged the progress made by UNESCO in putting its house in order since we left in 1985. But we believe that there is still scope for further reform. In particular, we are keen to see greater focus of programmes, greater decentralisation, tighter budgetary discipline and more transparency in management practices.

Visa Applications (Language Students)

Mr. Allason: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to speed up the processing of visa applications made by language students in Moscow seeking to learn English in the United Kingdom. [34974]

Mr. Hanley: All applications for UK visas have to satisfy the requirements of the immigration rules. The visa section at Moscow, like all our other entry clearance issuing posts, processes all straightforward visa applications within 24 hours. However I inspected Moscow's visa section and approved plans to enlarge and improve the old premises at a cost of £700,000, better to accommodate visa applicants. The renovated visa section opened on 13 May and provides waiting space for 160 persons and new counter positions for eight visa officers at a time, out of a total of 17.

TREASURY

Promotion (Women)

Mr. Donohoe: To ask the Chancellor of the Exchequer what measures her Department has implemented during the last 12 months to encourage the promotion of women into senior positions with his Department and its executive agencies; and what progress her Department has made in encouraging the promotion of women over the last five years. [31546]

Mrs. Angela Knight: The information in respect of the Chancellor's Departments and agencies is as follows:

HM Treasury

As part of a package of measures designed to ensure equality of opportunity within the department, the Treasury has targets to measure the progress of women and ethnic minority staff. Amongst these targets are objectives (i) to achieve a similar pattern of promotion for men and women which is related to their representation in the 'feeder grade'; (ii) to increase the proportion of women in the higher grades over time; and (iii) in the longer term, for women to be represented in the most senior grades in the same proportions as they are recruited into the Treasury in the 'feeder grades'.

While all promotions are made on the basis of merit, further measures to encourage the promotion of women include: action to address the perceived 'long hours culture' within the Treasury; the introduction of an open system of postings within the Department with the presumption that all posts are open to alternative working patterns, except where a valid case is made to the contrary; and flexible working hours made available to more than one third of the staff. The Treasury is also a member of Opportunity 2000.

Customs and Excise

The Department has implemented the following measures during the last 12 months to encourage the promotion of women into senior positions.

The board led by Chairman Valerie Strachan is committed to developing professionalism and responsibility. The Departmental strategy includes

"investing in and supporting the continuous development of our people as a key element".

Agreeing clear personal objectives and performance measures and rewarding people according to their contribution is another key factor. This links in with the new appraisal system and revised competencies. These serve to ensure that promotion is on merit.

The new appointments system has removed the seniority requirement. This is particularly important to women who may have had a break in their service for family reasons. Training needs are being met to equip people with skills and knowledge which also enhances development.

Mrs. Strachan, the chairman, is seen as a role model for women within the organisation and outside. She supports the Department's commitment to Opportunity 2000 and has recently agreed to be a member of the target team which plays a vital role in determining the overall direction of Opportunity 2000.

The Department has also made the following progress in encouraging the promotion of women over the last five years.

Balancing work and family

Providing a wide range of options to help women return to work after the birth of a child or as their family grows up;

A full range of non-traditional working patterns is now in place;

Career break and domestic absence schemes.

This kind of flexibility allows women to plan their careers around their individual needs and family responsibilities.

Child care provision, including workplace nurseries, buying nursery places and play schemes.

Reimbursement of extra child care and possibly elder care expenses incurred when attending residential training courses.

Positive action training.

Membership of key organisations like Opportunity 2000, and demonstrating our commitment to the membership by setting forecast figures for women at higher executive officer level and above by the years 1996 and 2000.

Establishing a comprehensive equal opportunities policy and putting into place strategies and practices which make those opportunities a reality.

Inland Revenue

During the last 12 months, the Inland Revenue has taken the following measures to encourage the promotion of women into senior positions:

As part of "Lifting the Barriers"—an initiative aimed at meeting the Department's strategic objective to increase the representation of women and ethnic minority people—at senior levels:

"Diversity in Action" a new advanced equal opportunities training course for senior managers was introduced;

"Springboard", a three-month personal development course for women, was piloted;

Mentoring schemes were piloted.

A career tracking project which looked at the careers of men and women who entered the Department in 1975 and 1985 was carried out to establish whether there were any barriers or stepping stones to progression which hindered or helped certain groups of people. Recommendations are still being considered.

A review of the existing arrangements whereby staff can be reimbursed additional child care costs if they have to attend A training course which affects their normal working hours was commenced.

A series of pilots on alternative working patterns focused on homeworking and extensions to flexible working hours. And guidance to managers and staff on job sharing, part-time working, flexible working hours, and alternative working patterns generally was issued. Since the publicity there has been a marked increase in term-time working.

A report into the equality aspects of the Inland Revenue's performance management system was completed by independent consultants. The main conclusion was that there was nothing inherent in the system design which would inevitably lead to differing impacts on various groups.

Extensive equal opportunities information was included in the "Guide to Working in the Inland Revenue", available to all members of staff.

The Inland Revenue has made the following progress since 1991:

Two women became non-executive directors on the management board.

The biggest increase at senior management level during the last five years has been at grade 7 level where women increased their representation from 12 per cent. to 24.3 per cent. The first woman controller (Grade 4) was appointed in January 1994.

Valuation Office Agency (VOA)

The Valuation Office Agency follows the Inland Revenue's strategic objective of improving the representation of women at senior levels and supports the "Lifting the Barriers" initiative. The VOA issued an equal opportunities programme of action for 1996–97 in May 1996, which includes goals for women's representation by the year 2002–3. Over the last 12 months they have analysed a sample of promotion boards to identify whether there was any basis or discrimination against women. No bias or discrimination was identified.

Paymaster

Paymaster promotes people to vacant posts on the basis of a competency framework and merit. During the past twelve months two women have been appointed to grade 7 posts and joined the chief executive's team, the senior management team in the agency. This increased women's representation from zero to almost 25 per cent. In addition, the agency has appointed a woman as a non-executive director who provides independent advice to the management board.

Royal Mint

A woman was appointed at assistant director level—Grade 7—in the last 12 months—the first female ever to be appointed at this level in the Royal Mint.

The total number of females in executive senior management posts has increased from three to four over the last five years. Also in 1993 one female non-executive director was appointed.

Within the last year a new policy of recruiting to a post and not a grade was introduced. Monitoring of fairness of opportunity takes place at each stage of recruitment and promotion processes. The same applies to our appraisal scheme which emphasises individual objectives scored against job evaluation factors. The Mint tries to ensure that at least one member of recruitment/selection panels is female. The proportion of women in senior positions has risen in the last five years from 7.5 per cent. to 10 per cent.

National Savings

The recent reorganisation of National Savings has had the effect of restricting the number of promotions and recruitment.

Despite these factors, development of equal opportunities policies has continued with a highly successful awareness training course for managers being introduced, and the seniority requirement for promotion being reduced to two years, both within the past year. Self-nomination for promotion arrangements which have been effective for two years have also had an effect in helping women to progress with the organisation.

National Savings also operates workplace nurseries and school holiday play schemes. Special unpaid leave is also available if needed during school holidays to enable staff to be with their family.

Office for National Statistics

As part of its programme for action on equal opportunities, the Office for National Statistics actively encourages women.

Over the past 12 months, ONS—and its predecessor departments, the Central Statistical Office and the Office for Population Censuses and Surveys—has operated a range of family-friendly policies including holiday play schemes, a nursery, flexible working hours and career breaks aimed at encouraging experienced members of staff to continue their careers alongside their domestic responsibilities. Other initiatives pursued by the Department in 1995–96 included:

offering women-only training courses to meet demand;

actively encouraging women to apply for posts in grades above executive officer, while ensuring that selection was based on merit; and

monitoring the success rates of women against white males in recruitment, performance promotability assessment, promotion and internal postings.

Information about the number of promotions in earlier years is only available for the CSO. Restructuring of CSO led to fewer promotion opportunities overall. Because the new Office for National Statistics was created on 1 April 1996, analysis of monitoring data has not yet been undertaken. ONS is presently developing a new equal opportunities programme of action for 1996–97. The programme will include proposals for monitoring, analysis of the results and for action to remedy any significant disparities highlighted.

Works of Art

Mr. Alton: To ask the Chancellor of the Exchequer what was the total cost of the conditionally except works of art list in uncollected inheritance tax *(a)* in 1995 and *(b)* since the list started, inflation adjusted. [34221]

Mr. Jack: The estimated overall cost to the Exchequer of granting conditional exemption from inheritance tax/capital transfer tax to works of art and chattels is about £55 million in 1994–95 and around £700 million over the period 1984–85 to 1994–95, at constant 1994–95 prices using the GDP market deflator. Comparable information for earlier years to 1977–78 when the list started is not available. And there are no separate estimates of the cost of exempting items included in the list.

The exemption is conditional, not absolute. Its broad effect is to defer payment of tax on the qualifying items for so long as the conditions of the exemption are met. the figure of £700 million given above does not take into account any deferred tax subsequently paid.

Mr. Alton: To ask the Chancellor of the Exchequer how many individuals have been asked by the Inland Revenue to remove items from the exempt works of art list as a result of denial of access *(a)* in 1995 and *(b)* since the list has existed. [34223]

Mr. Jack: In 1995 one owner has had items removed from the list because of a failure to provide public access. The capital taxes office has no record of any previous such removal of items.

Mr. Alton: To ask the Chancellor of the Exchequer what was the average inflation adjusted gross yearly income of individuals owning conditionally exempt works of art in *(a)* 1995, *(b)* 1980 and *(c)* the first year of the relevant list. [34220]

Mr. Jack: The information requested is not readily available and could be obtained only at disproportionate cost.

Mr. Alton: To ask the Chancellor of the Exchequer how many complaints have been received by the Inland Revenue regarding denial of access to conditionally exempt works of art *(a)* in 1995 and *(b)* since the scheme came into existence. [34222]

Mr. Jack: The capital taxes office has received no complaints from members of the public regarding denial of access to conditionally exempt works of art. If anyone feels that he or she has been unreasonably denied such access, they should write to that office.

Inheritance Tax

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what plans he has to equalise the inheritance tax treatment of surviving partners in long-term homosexual couples with the treatment of the surviving partner in heterosexual marriages; and if he will make a statement. [34949]

Mr. Jack: There are no such plans. Inheritance tax exemption for transfers between spouses is not available to unmarried couples.

Actors and Actresses

Mr. Redmond: To ask the Chancellor of the Exchequer how many actors and actresses are currently unemployed. [35008]

Mrs. Angela Knight: In May 1996, 13,033 of the claimant unemployed in the United Kingdom usually worked as actors, entertainers, stage managers, producers or directors. Figures for actors alone cannot be separately identified.

National Savings

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what targets he has set National Savings on its creation as an executive agency of his Department; and if he will make a statement. [35472]

Mrs. Angela Knight: National Savings has today been established as an executive agency of the Chancellor of the Exchequer. Its main aim is to support the Government's management of its debt and its policies for personal savings by attracting and retaining investments from the retail market efficiently and cost effectively. It will be set clear targets to continue to improve value for money for the taxpayer and the level of service to customers. Accordingly, I have set the following performance targets for its first year, 1996–97.

(i) To work within the terms of the 1996–97 funding remit '

(ii) To manage National Savings so as to deliver its aims within the resources allocated by Parliament.

(iii) To improve efficiency by 6 per cent. in 1996–97.

(iv) To develop a consistent agency-wide unit costing system drawing on the development of resource accounting by end March 1997.

(v) To achieve a 97 per cent. outturn against all national savings published timeliness targets.

(vi) To set up a consistent system by end March 1997 to measure accuracy of those transaction processes that most affect customers (repayment and purchase).

(vii) To show 85 per cent. of customers surveyed are either satisfied or very satisfied.

' The funding remit sets out the costs and volume assumption that National Savings works to. It is not published because of commercial confidentiality.

I have today placed copies of the agency's framework document in the Libraries of both Houses.

Following open competition Peter Bareau has been selected as the new agency chief executive. He will take up post on 15 July 1996.

Illegal Drugs

Mr. Llwyd: To ask the Chancellor of the Exchequer if he will publish for each of the constituent nations of the United Kingdom and for United Kingdom as a whole for the last three years in constant prices the cost to the Exchequer of enforcement of current laws on illegal drugs, broken down by the costs of *(a)* policing, *(b)* prosecutions, *(c)* medical treatment of abusers and *(d)* border controls. [33930]

Mr. Heathcoat-Amory: The overall expenditure of the Government on tackling drug misuse across the United Kingdom in 1992–93 was estimated to have been £520 million. The comparable figures for 1993–94 was estimated as £526 million. These are the most recent figures available. The information in the form and breakdown requested is not held centrally and could be obtained only at disproportionate cost.

Abortions

Mrs. Ann Winterton: To ask the Chancellor of the Exchequer when the next edition of the "Abortion Statistics Monitor" will be published; and what factors account for the interval in publication between it and its predecessor. [34891]

Mrs. Angela Knight: The most recent edition of the "Abortion Statistics Monitor", covering legal abortions for the December 1995 quarter, was published on 27 June 1996. The next edition, which will cover the March 1996 quarter, has an expected publication date of 1 October 1996. Publication dates are determined by the date of receipt of HSA4 notification forms by the chief medical officers at the Department of Health and the Welsh Office, and the statistical processing and analyses of the notifications by the Office for National Statistics.

Mr. Simon Hughes: To ask the Chancellor of the Exchequer how many legal abortions were performed in England and Wales in each month of 1995. [35091]

Mrs. Knight: The data presented for 1995 in the table are provisional as they are based on quarterly returns. Finalised annual figures for 1995 are expected to be published in an annual monitor on legal abortions performed in England and Wales on 10 September 1996.

Total terminations performed in England and Wales

1995	*residents and non-residents*
January	13,913
February	13,938
March	14,890
April	12,138
May	13,403
June	14,191
July	13,803
August	13,825
September	13,224
October	13,521
November	13,372
December	12,229
Total	162,447

Compliance Cost Assessments

Mrs. Roche: To ask the Chancellor of the Exchequer what proposals he has to ensure that each legislative measure put forward by his Department contains a compliance cost assessment *(a)* relating to small firms and *(b)* in respect of which small firms have been consulted. [34146]

Mr. Jack *[holding answer 26 June 1996]:* I refer the hon. Member to the answer given on 26 June 1996 by my right hon. Friend the Chancellor of the Duchy of Lancaster, *Official Report*, column *119*.

Utility Prices

Mrs. Beckett: To ask the Chancellor of the Exchequer if he will express as an index where the year of privatisation equals 100 the utility component of the retail prices index including value added tax in *(a)* 1979 and *(b)* the latest available period for (i) gas prices, (ii) electricity prices, (iii) electricity and gas prices, (iv) water prices and (v) gas, electric and water prices. [30343]

Mr. Jack *[holding answer 22 May 1996]:* The information is as follows:

Period	*Gas*	*Electricity*	*Electricity and gas*	*Water*	*Gas, electricity and water*
Year of privatisation	1986	1990	1990	1989	1990
1979	44	44	42	36	41
May 1996	125	121	118	194	127

Although the gas/water/electricity prices has risen to 127 compared to 100 in 1990, a wider range of utility prices, which also includes the price of telephone services, rail fares and postage, has risen to only 121.3. In real terms, this is an increase of only one and half percentage point.

Note:

The components of the retail prices index for electricity and gas, and for gas, electricity and water, assume a privatisation year of 1990—the year that electricity utilities were fully privatised.

EDUCATION AND EMPLOYMENT

Spending Statistics

Mr. Steinberg: To ask the Secretary of State for Education and Employment what is the spending per pupil *(a)* in primary schools and *(b)* in secondary schools in each local education authority in England. [34674]

Mr. Robin Squire: The following table sets out, for each local education authority, net institutional expenditure per pupil in LEA-maintained *(a)* pre-primary/primary schools and *(b)* secondary schools in England for 1994–95, the latest year for which figures are available.

Net institutional expenditure per pupil 1994–95	*(a) Pre-primary and primary* £	*(b) Secondary* £
Corporation of London	3,635	0
Camden	2,057	2,790
Greenwich	2,028	2,772
Hackney	2,249	3,138
Hammersmith and Fulham	2,482	3,316
Islington	2,055	2,657
Kensington and Chelsea	2,397	3,327
Lambeth	2,573	3,782
Lewisham	2,097	2,677
Southwark	1,898	2,681
Tower Hamlets	2,393	3,194
Wandsworth	2,268	3,053
Westminster	2,440	2,825
Barking and Dagenham	1,891	2,353

Net institutional expenditure per pupil 1994–95	*(a) Pre-primary and primary* £	*(b) Secondary* £
Barnet	1,763	2,415
Bexley	1,536	2,232
Brent	1,718	2,033
Bromley	1,634	2,231
Croydon	1,725	2,165
Ealing	1,969	2,457
Enfield	1,761	2,359
Haringey	2,300	2,986
Harrow	2,043	2,598
Havering	1,715	2,570
Hillingdon	1,777	2,625
Hounslow	1,931	2,582
Kingston upon Thames	1,730	2,518
Merton	1,931	2,663
Newham	1,711	2,623
Redbridge	1,678	2,553
Richmond upon Thames	1,884	2,373
Sutton	1,860	2,514
Waltham Forest	1,792	2,395
Birmingham	1,721	2,356
Coventry	1,705	2,418
Dudley	1,575	2,205
Sandwell	1,666	2,244
Solihull	1,605	2,225
Walsall	1,664	2,314
Wolverhampton	1,648	2,341
Knowsley	1,575	2,227
Liverpool	1,634	2,603
St. Helens	1,521	2,247
Sefton	1,487	2,227
Wirral	1,567	2,294
Bolton	1,646	2,261
Bury	1,492	2,032
Manchester	1,558	2,435
Oldham	1,621	2,293
Rochdale	1,552	2,225
Salford	1,507	2,151
Stockport	1,566	2,152
Tameside	1,447	2,046
Trafford	1,477	2,319
Wigan	1,474	2,130
Barnsley	1,550	2,102
Doncaster	1,444	2,025
Rotherham	1,719	2,220
Sheffield	1,612	2,110
Bradford	1,681	2,041
Calderdale	1,651	2,104
Kirklees	1,607	2,256
Leeds	1,645	2,223
Wakefield	1,590	2,046
Gateshead	1,638	2,257
Newcastle upon Tyne	1,660	2,314
North Tyneside	1,636	2,145
South Tyneside	1,623	2,062
Sunderland	1,576	2,142
Isles of Scilly	2,471	4,484
Avon	1,613	2,336
Bedfordshire	1,674	2,231
Berkshire	1,630	2,238
Buckinghamshire	1,636	2,256
Cambridgeshire	1,540	2,160
Cheshire	1,529	2,176
Cleveland	1,505	2,172
Cornwall	1,615	2,202
Cumbria	1,541	2,034
Derbyshire	1,596	2,290
Devon	1,554	2,203
Dorset	1,510	2,061
Durham	1,757	2,122
East Sussex	1,692	2,359
Essex	1,734	2,321
Gloucestershire	1,274	1,937
Hampshire	1,645	2,177
Hereford and Worcester	1,643	2,063
Hertfordshire	1,717	2,264
Humberside	1,652	2,304
Isle of Wight	1,607	2,030
Kent	1,555	2,276
Lancashire	1,661	2,345
Leicestershire	1,612	2,274
Lincolnshire	1,588	2,384
Norfolk	1,600	2,342
North Yorkshire	1,577	2,180
Northamptonshire	1,618	2,265
Northumberland	1,528	1,944
Nottinghamshire	1,692	2,396
Oxfordshire	1,680	2,285
Shropshire	1,605	2,413
Somerset	1,660	2,113
Staffordshire	1,565	2,104
Suffolk	1,690	2,182
Surrey	1,744	2,234
Warwickshire	1,665	2,349
West Sussex	1,668	2,240
Wiltshire	1,548	2,125
England	1,661	2,270

Kirklees Borough Council

Mrs. Peacock: To ask the Secretary of State for Education and Employment what was the amount of grant for Kirklees metropolitan council for the education revenue budget for each year since 1979–80. [34798]

Mrs. Gillan *[holding answer 27 June 1996]:* It is not possible to identify a portion of revenue support grant for the education revenue budget since RSG is not hypothecated to particular services. Details of the education standard spending assessment for Kirklees from 1990–91 to 1996–97 are set out in the following list. The previous system of local government finance that applied before 1990–91 was different in structure and coverage from the current system and comparable figures are therefore not available.

1990–91: £128.823 million

1991–92: £148.129 million

1992–93: £157.647 million

1993–94: £140.873 million

1994–95: £138.275 million

1995–96: £136.679 million

1996–97: £141.523 million

School Nursery Units

Mr. William O'Brien: To ask the Secretary of State for Education and Employment (1) how many nursery units have been provided at Church-aided schools through the private finance initiative; [34829]

(2) how many nursery units have been provided at local education authority schools through the private finance initiative; and if she will make a statement. [34830]

Mr. Robin Squire: We are aware that many local education authorities and voluntary aided schools are exploring the use of the private finance initiative or similar arrangements for education projects, including nursery units. PFI in schools and nursery units is at an early stage, and as yet we are not aware of any nursery units provided through the PFI.

Unemployment Benefit Rules

Mr. Redmond: To ask the Secretary of State for Education and Employment (1) if she will list the professions where unemployed people are able to seek employment in their chosen occupation while receiving unemployment benefit without being asked to seek alternative employment; and if she will make a statement; [35003]

(2) what is the maximum time during which actors and actresses are able to claim unemployment benefit before being asked to seek alternative employment; and if she will make a statement. [35102]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr Martin Redmond, dated 1 July 1996:

The Secretary of State has asked me to reply to your question asking for a list of the professions where people who are unemployed are able to seek employment in their chosen occupation whilst receiving unemployment benefit, without being asked to seek alternative employment.

Under the provisions of the Social Security Act 1989, people may limit themselves to seeking and accepting work in their usual occupation and at their usual rate of pay for a period of up to 13 weeks from the date they claim unemployment benefit. After this, people claiming benefit are expected to broaden their jobsearch and to accept work for which they are capable, even if that work is not in their usual field. Anyone who takes up such an offer of employment is, of course, still free to continue to look for work in their chosen occupation.

I hope this is helpful.

Barnsley and Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for Education and Employment if she will make a statement on the visit of a Minister from her Department to the area covered by the Barnsley and Doncaster TEC to discuss measures to reduce unemployment in the travel-to-work areas of Doncaster and Mexborough. [34984]

Mr. Paice: My noble Friend the Minister of State undertook the most recent visit of a Minister from the Department to the area covered by the Barnsley and Doncaster training and enterprise council on 8 May 1996, in his capacity as a sponsor Minister. He visited sites in the Barnsley north-east corridor city challenge area and attended the launch of the Dearne Valley college, at the University of Sheffield. The visit was not specifically to discuss measures to reduce unemployment in the travel to work areas of Doncaster and Mexborough. However, he did meet a representative of the Barnsley and Doncaster TEC during the visit. He will be visiting the Doncaster area again, on 1 July 1996, to hold a reception for excellent, good and improving schools in the Yorkshire and Humberside region identified by Ofsted inspections.

Secondary Schools

Ms Hodge: To ask the Secretary of State for Education and Employment (1) when she last met the chief inspector to discuss admission policy for secondary schools;[34771]

(2) what advice she received from Office of Standards in Education on the re-introduction of admission by selection to secondary schools. [34772]

Mrs. Gillan: My right hon. Friend meets the chief inspector regularly, most recently on 5 June, to discuss a range of education matters.

Mr. Butcher: To ask the Secretary of State for Education and Employment if she or her ministerial colleagues have recently visited Germany to study the selection methods under which pupils are allocated to each type of secondary school in that country; and if she will make a statement. [35085]

Mrs. Gillan: No such visits have recently taken place. The White Paper "Self-government for Schools", Cm 3315, stresses the value of many different kinds of selection and specialisation in extending diversity and so giving parents more choice.

School Security

Mr. William Ross: To ask the Secretary of State for Education and Employment how many persons have been *(a)* challenged and *(b)* apprehended for being found in (i) a school or college building and (ii) the precincts of a school or college, without any lawful authority, in each eduction authority area for each month in each of the last five years for which figures are available. [34843]

Mr. Robin Squire: This information is not collected centrally.

Unemployed Claimants

Mr. Rooney: To ask the Secretary of State for Education and Employment (1) how many claimants in 1995–96 were referred to *(a)* jobplan workshops, *(b)* restart courses and *(c)* workwise and worklink; and for each how many attended and what were the outcomes; [35276]

(2) how many claimants had reductions in their income support for non-attendance or failure to complete *(a)* jobplan workshops, *(b)* restart courses and *(c)* workwise and worklink. [35275]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Robert Horne to Mr. Terry Rooney, dated 1 July 1996:

The Secretary of State has asked me, in the absence of the Chief Executive, to reply to your questions to her about Jobplan, Workwise and Worklink and Restart Courses.

The attached tables show how equal many claimants were referred to Jobplan, Workwise and Worklink and Restart Courses in 1995–96, how many attended and the outcomes.

The responsibility for adjudication on people who fail to attend or complete these programmes rests with the Benefits Agency (BA). In approximately 90% of cases that are adjudicated upon a reduction of either 40% or 20% of personal Income Support is applied. Details of the total number of disallowances by programme are included in the table.

I hope this is helpful.

Table 1

1995–96	*Jobplan*	*Restart courses*	*Workwise/link*
Referrals	339,419	190,866	65,252
Starters	165,012	104,686	27,635
Outcomes			
Jobs	7,542	4,301	2,971
ES/TEC/LEC programmes	41,811	21,899	7,158
Other	9,022	4,589	1,796
Total outcomes	58,375	30,789	11,925
BA decisions			
Deductions in personal IS	37,891	24,505	11,231

Mr. Rooney: To ask the Secretary of State for Education and Employment how many claimants are currently participating in the voluntary jobsearch element of the project work pilots. [35284]

Mr. Forth: The most recent figures available, covering the period from the start of the pilots up to 13 June, show a total of 2,012 people in the Hull and Medway and Maidstone pilot areas have had their initial restart interview, and entered the first 13 weeks of the pilot process.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many claimants have participated in each of the four jobmatch pilots in each quarter since inception; and what have been the outcomes of those who completed. [35283]

Mr. Forth: The following table gives the number of long-term unemployed people who have participated in each of the four jobmatch pilots. The table shows the number of new participants in each 12 week period since the pilots began on 3 April 1995 and until 24 May 1996.

Jobmatch pilot

Period	*London (ES)*	*North West England (ES)*	*North London TEC*	*Lincolnshire TEC*	*Total*
Weeks 1–12	118.00	82.00	79.00	59.00	338.00
Weeks 13–24	334.00	125.00	131.00	61.00	651.00
Weeks 25–36	782.00	182.00	162.00	69.00	1,195.00
Weeks 37–48	651.00	85.00	110.00	41.00	887.00
Weeks 49–60	571.00	137.00	141.00	53.00	902.00
Total	2,456.00	611.00	623.00	283.00	3,973.00

Information is not yet available on the employment status and experience of participants in the period after the jobmatch allowance ceases. A follow-up survey of participants is being conducted from which results will be available next year.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many restart interviews took place in 1995–96; and from these how many claimants *(a)* were placed in a job, *(b)* claimed other benefits and *(c)* entered other programmes and signed off the claiming benefit. [35281]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Terry Rooney, dated 1 July 1996:

The Secretary of State has asked me to reply to your question about the number of Restart interviews which took place in 1995/96 and the outcomes from them. This falls within my responsibility as Chief Executive of the Employment Service.

I have set out the information you have requested in the table below. It may be helpful if I explain the scope and purpose of the Restart interviews which are offered at regular six monthly intervals as part of an advisory and information service aimed at helping people back into work. These interviews provide clients with the opportunity to discuss with a Client Adviser the steps they are taking to find work, how to access the employment and training opportunities that are available to them, and the course of action which, if followed, will offer the best prospects of returning to work.

1995–96	*Total*
Total Restart Interviews	3,271,561
Job Placings	54,903
Family Credit and Other Benefit Starts	64,124
Programme Starts[1]	764,886
Sign Offs as a direct result of Advisory action	117,644

[1] Jobclub, Business Start-Up, Restart Course, Training for Work, JIG, Work Trials, JSS, Jobplan, Job Review Workshop, Workwise, Community Action.

While the primary aim of this service is to help people back into work, advisers also have a duty to make sure those claiming benefit understand and comply wit the conditions under which they are paid. These conditions require people to be available to start work immediately; not to place such restrictions on the work they are willing to do as to leave them with no real prospects of finding a job; and to take those steps, each week, which offer the best prospects of obtaining work.

As part of this process, advisers ensure that people are claiming the most appropriate benefit. If, during an interview, discussions between the client and the adviser identify that an alternative benefit is more appropriate, then the adviser will ensure a smooth transition to the correct benefit.

I should emphasise that the figures shown in the table represent only the immediate result of Restart interviews. Many other people subsequently take up a job or a place on an employment or training programme as a result of the guidance given to them at their interview. Independent researchers who have studied the Restart interview programme have all concluded that this indirect effect is extremely significant.

I hope this in helpful.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many claimants were *(a)* referred to 1–2–1 interviews in 1995–96, *(b)* attended and completed these interviews and *(c)* received sanctions for non-attendance or failure to complete their programme. [35280]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Terry Rooney, dated 1 July 1996:

The Secretary of State has asked me to reply to your question about how many people were referred to and completed 1–2–1 interviews in 1995–96 and how many received benefit sanctions for non-attendance or failure to attend the interviews. This falls within my responsibility as Chief Executive of the Employment Service.

You will see the information set out in the table. It may also be helpful if I explain that 1–2–1 was piloted in 1994/95 and introduced nationally from April 1995 for 18–24 year olds unemployed a year. It involves placing people on a caseload operated by an ES adviser for up to six interviews. This caseload approach provides an extended period for advisers to support clients' job search and to help them develop realistic plans to return to work. Clients are given information about jobs and other opportunities and extensive job search advice and help, including help with the preparation of CVs, the completion of application forms and interview techniques. The interviews also provide an opportunity to confirm that clients understand and are meeting the conditions under which benefit is paid. In April 1996 the initiative was expanded; to provide 239,000 opportunities from the previous 95,000. The extra places has enabled help to be extended to clients over 25 and people at other unemployment durations.

1995–96	*Total*
1–2–1 Cases opened	67,557
1–2–1 Cases completed	40,921
Number of Benefit Sanctions applied	5,423

For those 1–2–1 is unable to help, a linked four week course, Workwise, provides further help with job search and confidence building. Workwise is also made available immediately, in preference to 1–2–1, for those clients to whom it is more appropriate.

I hope this is helpful.

Employment Service

Mr. Rooney: To ask the Secretary of State for Education and Employment if he will make a statement on the performance of the Employment Service against its targets in 1995–96. [35289]

Mr. Forth: The Employment Service performed very well in 1995–96, meeting or exceeding 10 of the 12 targets set in the annual performance agreement. A total of 1,935,300 unemployed people were placed into jobs, against an annual target of 1.9 million. This represents 58,500 more placings than in 1994–95. Performance against all the targets for 1995–96 is set out in the following table:

Employment service performance against target
April 1995 to March 1996

Annual performance targets	*Target levels*	*Performance*
1. To place 1.9 million unemployed people into work at a planned unit cost of £185, assuming 2.65 million vacancies are notified	1.9 million	1,935,300
2. 29.5 per cent. of total unemployed placings achieved to be long-term claimants	29.5 per cent. (560,500)	29.2 per cent. (565,800)
3. 27 per cent. of total unemployed placings achieved to be people in inner cities	27 per cent. (513,000)	27.5 per cent. (531,400)
4. 55 per cent. positive outcomes for unemployed claimants invited to a 12 month advisory interview	55 per cent.	57 per cent.
5. 45 per cent. positive outcomes for unemployed claimants invited to a 24 month advisory interview	45 per cent.	49 per cent.
6. 80 per cent. of starts on training for work to be referrals from the Employment Service	80 per cent.	83 per cent.
7. 9.5 per cent. of initial claim enquiries not to be pursued as new claims	9.5 per cent.	10.8 per cent.

Employment service performance against target
April 1995 to March 1996

Annual performance targets	*Target levels*	*Performance*
8. 185,000 submissions to adjudication where there is an arguable case, with supporting information to show that the claimant is not available for, actively seeking or willing to accept work	185,000	273,900
9. At a planned unit cost per claimant of £15.80 for all benefit claims		
—despatch 75 per cent. of first payments of unemployment benefit within 12 days of claim	75 per cent.	74.6 per cent.
—97 per cent. of unemployment benefit payments by value to be correct	97 per cent.	96.7 per cent.
10. 4 per cent. of total unemployed placings achieved to be people with disabilities	4 per cent. (76,000)	4.5 per cent. (87,400)
11. 82,000 claims to be withdrawn of those suspected of obtaining benefit by deception following fraud investigation	82,000	88,500
12. To achieve £58 million in efficiency savings	£58 million	£74.63 million

Career Development Loans

Mr. Rooney: To ask the Secretary of State for Education and Employment how many *(a)* successful and *(b)* unsuccessful applications for career development loans there have been in each year since 1990–91; and what is the projection for the current year. [35277]

Mr. Paice: The following table sets out the information requested:

Year	*Loans approved*	*Loans rejected*
1990–91	8,054	1,767
1991–92	10,432	4,260
1992–93	10,230	3,978
1993–94	12,159	4,966
1994–95	15,169	4,790
1995–96	13,287	5,129

The target for 1996–97 is 16,000 approved applications.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many unemployed recipients of career development loans entered full-time employment on completion of their training. [35279]

Mr. Paice: Information on the number of trainees in work following training is obtained from a follow-up survey of trainees, which has been conducted since the start of the scheme in 1988. On the basis of this ongoing survey, 61 per cent. of career development loans supported trainees who were unemployed prior to training have found work within three months of completing their course.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many recipients of career development loans have been served with default notices; and what proportion are unemployed. [35278]

Mr. Paice: At 31 May 1996, the number of career development loans which have been defaulted is 9,619 out of 78,874 loans issued. Information about numbers of defaulters who are unemployed is not available.

Project Work Pilots

Mr. Rooney: To ask the Secretary of State for Education and Employment which organisations have been awarded contracts to run work experience placements for the project work pilots. [35285]

Mr. Forth: The Employment Service agreed contracts with nine organisations. In the Hull pilot they are:

Q-Mat
The British Trust for Conservation Volunteers
GrandMet Trust
Instant Muscle
Forum for Work

and in the Kent pilot:

Community Link
Career Ahead
Training Network
GrandMet Trust

Participants will be referred to placements with these organisations later this month.

Training for Work Scheme

Mr. Pike: To ask the Secretary of State for Education and Employment what is the weekly average number of working hours of participants in the training for work scheme; what is the current level of training premium they receive; when this figure was last reviewed; and what plans she has to increase this figure. [35149]

Mr. Paice: There are no figures available for the weekly average number of working hours for training for work trainees. The Government's agreement with training and enterprise councils stipulates that trainees shall have planned training of 21 hours or more in each seven-day period. Trainees receive an allowance based on the benefit they were receiving the day they joined the programme plus a premium of £10 per week. Training allowances are increased annually in line with benefit payments. The £10 premium was introduced in 1988. My right hon. Friend has no plans to increase this premium.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Education and Employment in what circumstances claimants of jobseeker's allowance will have the right to a copy of their jobseeker's agreement prior to the new claim interview. [35287]

Mr. Forth: A jobseeker's agreement can be drawn up only after a full discussion between the jobseeker and an Employment Service adviser. This will normally take place at the new claim interview, and until then the jobseeker will be treated as having an agreement. People who are already claiming when the jobseeker's allowance

is introduced in October 1996 will also initially be treated as having an agreement, and the actual agreement will be drawn up at their next advisory interview. If a new claim for JSA is made within 14 days of a previous period of entitlement, the previous agreement will continue to have effect, but otherwise there are no circumstances in which an agreement can exist prior to the new claim interview.

Community Action

Mr. Rooney: To ask the Secretary of State for Education and Employment how many claimants attended community action in each year since 1993; and what outcomes were achieved by leavers in each year. [35282]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Robert Horne to Mr. Terry Rooney, dated 1 July 1996:

The Secretary of State has asked me, in the absence of the Chief Executive, to reply to your question about participants and outcomes on the Community Action programme.

The information you requested is in the tables attached.

Community Action started in July 1993 and recruitment to the programme ceased at the end of December 1995. Data relates to the three operational years over which the programme operated.

Information on outcomes is based on follow up surveys of leavers. Consequently, data is not yet available for participants who have left the programme more recently.

I hope this is helpful.

Table 1: Community action participants

Operational year	Number of starters
1993–94	23,389
1994–95	47,646
1995–96	28,770

Table 2: Community action outcomes

	Percentage	
Operational year	Entries into employment	Other outcomes[1]
1993–94	16.8	9.3
1994–95	14.5	12.3
1995–96[2]	14.0	9.1

[1] Other outcomes are entries into training for work or full-time education.
[2] Data for April to November 1995 (latest available).

Learning for Work Programme

Mr. Rooney: To ask the Secretary of State for Education and Employment if she will place in the Library a copy of evaluation for the learning for work programme. [35286]

Mr. Paice: Copies of the evaluation reports were placed in the Library on 1 February.

Standard Spending Assessments

Mrs. Peacock: To ask the Secretary of State for Education and Employment if she will list, by order of the sum involved, the figure per child represented by the 1996–97 education standard spending assessment for *(a)* primary and *(b)* secondary school children in each local education authority in England and Wales; and what were the figures for each year since 1979–80. [34442]

Mr. Robin Squire *[holding answer 26 June 1996]:* The information requested for English local education authorities from 1990–91 to 1996–97 is set out in the following table. Comparable figures are not available for the previous system of local government finance that applied before 1990–91. Figures for Welsh local education authorities are a matter for my right hon. Friend the Secretary of State for Wales.

Unit cost £

	Primary						
LEA	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Isles of Scilly	2,511	2,873	3,155	3,140	3,281	3,347	3,574
Tower Hamlets	2,372	2,799	2,986	3,035	2,975	3,035	3,052
Lambeth	2,311	2,750	2,950	3,084	2,886	3,066	3,024
Hackney	2,373	2,760	2,918	3,126	2,976	3,076	2,991
Southwark	2,174	2,545	2,695	2,789	2,805	2,947	2,926
Islington	2,147	2,548	2,701	2,824	2,861	2,888	2,865
Camden	2,065	2,380	2,522	2,724	2,744	2,900	2,841
Hammersmith	2,108	2,444	2,593	2,815	2,716	2,904	2,808
Lewisham	2,000	2,368	2,537	2,637	2,685	2,777	2,803
City of London	1,827	2,172	2,264	3,015	3,133	2,901	2,736
Greenwich	1,878	2,224	2,377	2,424	2,583	2,711	2,716
Westminster	2,133	2,473	2,593	2,741	2,622	2,750	2,667
Wandsworth	2,027	2,414	2,562	2,674	2,549	2,683	2,654
Haringey	2,035	2,407	2,576	2,670	2,618	2,589	2,631
Kensington	2,111	2,500	2,611	2,755	2,645	2,852	2,628
Newham	2,020	2,361	2,529	2,586	2,603	2,581	2,620
Brent	2,004	2,320	2,458	2,542	2,454	2,500	2,554
Waltham Forest	1,886	2,186	2,316	2,404	2,440	2,434	2,484
Ealing	1,848	2,139	2,294	2,398	2,356	2,350	2,378
Hounslow	1,726	2,009	2,134	2,165	2,233	2,260	2,341
Manchester	1,777	2,052	2,150	2,206	2,214	2,258	2,320
Enfield	1,693	1,969	2,088	2,126	2,208	2,234	2,289
Croydon	1,691	1,961	2,097	2,143	2,202	2,243	2,277
Barking	1,689	1,946	2,074	2,095	2,219	2,231	2,273
Redbridge	1,630	1,877	2,008	2,093	2,172	2,164	2,241
Knowsley	1,682	1,904	2,050	2,084	2,201	2,186	2,231
Merton	1,675	1,931	2,056	2,121	2,163	2,184	2,216

Unit cost £

LEA	1990–91	1991–92	1992–93	Primary 1993–94	1994–95	1995–96	1996–97
Liverpool	1,717	1,967	2,061	2,113	2,141	2,110	2,203
Barnet	1,670	1,937	2,069	2,130	2,161	2,197	2,203
Hillingdon	1,568	1,822	1,923	1,983	2,120	2,133	2,195
Harrow	1,629	1,888	1,995	2,019	2,110	2,147	2,194
Birmingham	1,737	1,974	2,072	2,131	2,093	2,083	2,173
Sutton	1,535	1,777	1,902	1,972	2,085	2,093	2,162
Bexley	1,524	1,795	1,908	1,972	2,068	2,064	2,124
Middlesbrough	—	—	—	—	—	—	2,109
Kingston	1,558	1,809	1,917	1,957	2,052	2,064	2,108
Havering	1,490	1,732	1,828	1,878	2,057	2,023	2,104
Newcastle	1,603	1,831	1,908	1,949	2,012	2,045	2,104
Wolverhampton	1,697	1,924	2,003	2,030	1,997	1,995	2,081
City of Kingston upon Hull	—	—	—	—	—	—	2,080
Hertfordshire	1,483	1,716	1,842	1,884	1,970	2,010	2,074
Bromley	1,551	1,793	1,883	1,938	2,039	2,013	2,074
Isle of Wight	1,506	1,751	1,875	1,940	2,018	2,016	2,070
Bradford	1,627	1,864	1,971	2,022	1,993	1,986	2,070
Bedfordshire	1,543	1,773	1,896	1,976	2,011	1,995	2,057
Essex	1,477	1,691	1,815	1,882	1,972	1,989	2,055
Sandwell	1,614	1,818	1,910	1,960	1,976	1,986	2,051
Coventry	1,583	1,792	1,892	1,909	1,948	1,984	2,049
Salford	1,569	1,756	1,853	1,919	1,971	1,975	2,047
Berkshire	1,505	1,738	1,855	1,906	1,953	1,988	2,047
East Sussex	1,480	1,698	1,825	1,941	1,986	2,000	2,043
Redcar and Cleveland	—	—	—	—	—	—	2,042
Richmond	1,572	1,826	1,932	1,982	2,001	2,015	2,040
Surrey	1,475	1,704	1,828	1,857	1,921	1,998	2,040
Doncaster	1,526	1,754	1,861	1,905	1,943	1,934	2,039
Kent	1,477	1,695	1,807	1,886	1,960	1,968	2,032
Wirral	1,551	1,788	1,869	1,891	1,959	1,948	2,024
Bucks	1,498	1,720	1,826	1,890	1,962	1,966	2,021
Rochdale	1,537	1,750	1,805	1,863	1,917	1,932	2,017
South Tyneside	1,545	1,756	1,836	1,825	1,923	1,932	2,012
City of Bristol	—	—	—	—	—	—	2,011
Hartlepool	—	—	—	—	—	—	2,010
Oldham	1,551	1,790	1,877	1,866	1,910	1,919	2,008
Gateshead	1,480	1,712	1,828	1,886	1,952	1,937	2,006
Sunderland	1,521	1,736	1,805	1,833	1,925	1,919	2,001
Sheffield	1,503	1,725	1,815	1,874	1,936	1,922	1,996
Walsall	1,539	1,725	1,813	1,829	1,881	1,894	1,991
Hampshire	1,469	1,678	1,788	1,867	1,929	1,930	1,989
West Sussex	1,437	1,656	1,766	1,813	1,918	1,932	1,987
Calderdale	1,506	1,710	1,808	1,869	1,905	1,896	1,986
Oxfordshire	1,473	1,696	1,798	1,872	1,934	1,933	1,985
Cornwall	1,489	1,700	1,799	1,831	1,878	1,893	1,984
Durham	1,496	1,704	1,787	1,805	1,879	1,884	1,983
North Lincolnshire	—	—	—	—	—	—	1,982
Stockton on Tees	—	—	—	—	—	—	1,981
Rotherham	1,479	1,700	1,796	1,819	1,856	1,871	1,978
Nottinghamshire	1,501	1,723	1,821	1,851	1,872	1,883	1,973
Kirklees	1,527	1,746	1,853	1,914	1,912	1,900	1,971
Norfolk	1,472	1,682	1,789	1,815	1,863	1,881	1,971
Lincolnshire	1,505	1,713	1,809	1,850	1,874	1,873	1,969
North Lincolnshire	—	—	—	—	—	—	1,965
Lancashire	1,491	1,705	1,805	1,822	1,867	1,877	1,964
Cambridge	1,458	1,663	1,764	1,802	1,847	1,876	1,962
Bolton	1,517	1,712	1,815	1,863	1,869	1,866	1,958
Devon	1,454	1,661	1,762	1,817	1,865	1,879	1,958
Cumbria	1,455	1,664	1,763	1,820	1,862	1,856	1,957
Sefton	1,463	1,679	1,769	1,788	1,879	1,875	1,955
Barnsley	1,451	1,672	1,765	1,793	1,854	1,869	1,955
Leicestershire	1,476	1,687	1,785	1,821	1,855	1,864	1,954
Shropshire	1,489	1,685	1,774	1,811	1,850	1,862	1,952
Leeds	1,499	1,719	1,813	1,846	1,868	1,864	1,947
North Tyneside	1,451	1,684	1,797	1,779	1,828	1,845	1,946
St. Helens	1,433	1,656	1,729	1,750	1,851	1,845	1,945
North Yorkshire	—	—	—	—	—	—	1,940
Northumberland	1,435	1,641	1,743	1,784	1,838	1,825	1,935
Somerset	1,439	1,643	1,745	1,781	1,833	1,846	1,933
Northamptonshire	1,454	1,655	1,759	1,796	1,823	1,836	1,927
Wiltshire	1,446	1,657	1,750	1,787	1,824	1,835	1,921

Unit cost £

Primary

LEA	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Hereford and Worcester	1,427	1,621	1,712	1,734	1,798	1,827	1,914
Gloucestershire	1,440	1,635	1,731	1,772	1,819	1,836	1,912
Derbyshire	1,431	1,618	1,706	1,739	1,801	1,812	1,911
Wakefield	1,435	1,668	1,761	1,771	1,816	1,825	1,910
Dorset	1,401	1,602	1,714	1,771	1,828	1,833	1,909
Bury	1,408	1,595	1,681	1,699	1,786	1,813	1,909
Tameside	1,486	1,694	1,779	1,785	1,827	1,831	1,908
Warkwickshire	1,433	1,635	1,723	1,754	1,801	1,822	1,906
Trafford	1,454	1,647	1,745	1,758	1,798	1,830	1,905
Wigan	1,400	1,588	1,687	1,727	1,814	1,809	1,905
Cheshire	1,418	1,611	1,703	1,746	1,818	1,817	1,903
Suffolk	1,425	1,628	1,726	1,762	1,807	1,820	1,901
Dudley	1,411	1,604	1,700	1,722	1,802	1,813	1,896
Staffordshire	1,409	1,609	1,704	1,744	1,792	1,805	1,894
East Riding of Yorkshire	—	—	—	—	—	—	1,890
York	—	—	—	—	—	—	1,888
Bath and north east Somerset	—	—	—	—	—	—	1,880
Solihull	1,410	1,600	1,721	1,752	1,808	1,798	1,872
Stockport	1,385	1,586	1,669	1,689	1,779	1,775	1,863
North Somerset	—	—	—	—	—	—	1,863
South Gloucestershire	—	—	—	—	—	—	1,834
Avon	1,428	1,634	1,728	1,779	1,835	1,838	—
Cleveland	1,569	1,795	1,894	1,908	1,942	1,940	—
Humberside	1,513	1,724	1,817	1,849	1,891	1,891	—
North Yorkshire	1,445	1,649	1,738	1,756	1,805	1,827	—
England	1,550	1,780	1,889	1,940	1,985	2,000	2,053
Inner London	2,148	2,530	2,692	2,812	2,777	2,891	2,865
Outer London	1,755	2,025	2,146	2,206	2,229	2,238	2,296
Mets	1,510	1,733	1,841	1,897	1,961	1,973	2,038
Shires	1,462	1,670	1,766	1,801	1,848	1,857	1,944
Isles of Scilly	1,506	1,710	1,808	1,869	1,905	1,896	1,986

Unit cost £

Secondary

LEA	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Isles of Scilly	3,558	4,155	4,601	4,545	4,570	4,381	4,794
Tower Hamlets	3,386	4,079	4,385	4,425	4,178	4,034	4,051
Lambeth	3,298	4,007	4,331	4,497	4,052	4,463	4,431
Hackney	3,387	4,020	4,283	4,558	4,180	4,359	4,207
Southwark	3,100	3,704	3,953	4,062	3,937	4,090	3,933
Islington	3,061	3,708	3,961	4,114	4,017	3,963	3,889
Camden	2,943	3,462	3,696	3,966	3,850	3,648	3,596
Hammersmith	3,005	3,556	3,802	4,101	3,811	3,777	3,701
Lewisham	2,849	3,443	3,718	3,837	3,766	3,778	3,769
City of London	2,594	3,147	3,306	4,382	4,392	9,055	7,422
Greenwich	2,674	3,231	3,480	3,524	3,621	3,589	3,620
Westminster	3,041	3,598	3,802	3,991	3,677	3,637	3,470
Wandsworth	2,889	3,511	3,756	3,892	3,572	3,617	3,551
Haringey	2,902	3,504	3,778	3,889	3,674	3,583	3,599
Kensington	3,009	3,638	3,828	4,011	3,710	4,071	3,605
Newham	2,879	3,436	3,709	3,766	3,653	3,439	3,490
Brent	2,856	3,375	3,604	3,701	3,441	3,448	3,504
Waltham Forest	2,686	3,178	3,393	3,498	3,421	3,261	3,348
Ealing	2,632	3,109	3,360	3,488	3,302	3,224	3,246
Hounslow	2,456	2,917	3,122	3,145	3,128	2,959	3,072
Manchester	2,533	2,985	3,153	3,211	3,107	3,072	3,141
Enfield	2,407	2,858	3,054	3,088	3,091	2,941	3,034
Croydon	2,405	2,846	3,068	3,112	3,083	3,050	3,089
Barking	2,402	2,824	3,034	3,042	3,107	2,951	3,057
Redbridge	2,316	2,722	2,936	3,038	3,040	2,884	2,970
Knowsley	2,395	2,767	3,003	3,032	3,087	2,986	3,055
Merton	2,381	2,802	3,007	3,080	3,028	2,904	2,948
Liverpool	2,445	2,860	3,019	3,075	3,002	2,821	2,924
Barnet	2,374	2,812	3,027	3,094	3,024	2,883	2,897
Hillingdon	2,228	2,642	2,809	2,878	2,967	2,838	2,930

Unit cost £

Secondary

LEA	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Harrow	2,315	2,739	2,916	2,930	2,952	2,898	2,951
Birmingham	2,475	2,871	3,037	3,101	2,934	2,794	2,907
Sutton	2,180	2,576	2,779	2,860	2,916	2,722	2,829
Bexley	2,163	2,602	2,787	2,861	2,893	2,734	2,831
Middlesbrough	—	—	—	—	—	—	2,859
Kingston	2,213	2,622	2,801	2,839	2,870	2,720	2,787
Havering	2,114	2,508	2,668	2,722	2,877	2,686	2,816
Newcastle	2,282	2,659	2,792	2,832	2,820	2,717	2,793
Wolverhampton	2,417	2,796	2,934	2,952	2,798	2,691	2,807
City of Kingston upon Hull	—	—	—	—	—	—	2,789
Hertfordshire	2,105	2,486	2,689	2,732	2,754	2,663	2,754
Bromley	2,203	2,598	2,750	2,811	2,851	2,678	2,744
Isle of Wight	2,138	2,537	2,739	2,813	2,819	2,696	2,755
Bradford	2,316	2,708	2,885	2,940	2,791	2,679	2,777
Bedfordshire	2,193	2,570	2,772	2,867	2,812	2,664	2,750
Essex	2,097	2,449	2,650	2,729	2,756	2,647	2,749
Sandwell	2,297	2,641	2,796	2,849	2,768	2,642	2,734
Coventry	2,253	2,602	2,769	2,773	2,728	2,648	2,731
Salford	2,232	2,549	2,711	2,788	2,762	2,652	2,747
Berkshire	2,137	2,519	2,709	2,764	2,730	2,664	2,733
East Sussex	2,101	2,460	2,666	2,816	2,776	2,672	2,728
Redcar and Cleveland	—	—	—	—	—	—	2,698
Richmond	2,234	2,648	2,823	2,875	2,797	2,635	2,660
Surrey	2,093	2,464	2,667	2,691	2,684	2,679	2,723
Doncaster	2,169	2,544	2,720	2,765	2,717	2,572	2,719
Kent	2,098	2,455	2,638	2,734	2,740	2,620	2,714
Wirral	2,207	2,597	2,735	2,746	2,744	2,606	2,690
Bucks	2,127	2,492	2,666	2,740	2,741	2,630	2,715
Rochdale	2,187	2,540	2,639	2,706	2,684	2,608	2,711
South Tyneside	2,197	2,549	2,685	2,649	2,692	2,562	2,681
City of Bristol	—	—	—	—	—	—	2,759
Hartlepool	—	—	—	—	—	—	2,673
Oldham	2,206	2,599	2,746	2,709	2,674	2,530	2,646
Gateshead	2,104	2,484	2,673	2,739	2,733	2,601	2,691
Sunderland	2,163	2,520	2,640	2,661	2,695	2,549	2,673
Sheffield	2,137	2,503	2,655	2,722	2,711	2,565	2,679
Walsall	2,189	2,503	2,652	2,656	2,633	2,501	2,634
Hampshire	2,086	2,432	2,611	2,707	2,696	2,575	2,657
West Sussex	2,039	2,398	2,578	2,628	2,679	2,571	2,647
Calderdale	2,141	2,481	2,643	2,714	2,665	2,527	2,650
Oxfordshire	2,091	2,456	2,624	2,714	2,700	2,575	2,625
Cornwall	2,114	2,463	2,627	2,654	2,622	2,522	2,644
Durham	2,125	2,471	2,611	2,618	2,627	2,512	2,649
North east Lincolnshire	—	—	—	—	—	—	2,638
Stockton on Tees	—	—	—	—	—	—	2,622
Rotherham	2,102	2,466	2,625	2,640	2,596	2,462	2,609
Nottinghamshire	2,134	2,499	2,662	2,687	2,618	2,506	2,630
Kirklees	2,171	2,533	2,710	2,779	2,675	2,539	2,637
Norfolk	2,090	2,437	2,612	2,632	2,601	2,508	2,630
Lincolnshire	2,137	2,482	2,642	2,682	2,616	2,483	2,630
North Lincolnshire	—	—	—	—	—	—	2,595
Lancashire	2,119	2,472	2,639	2,644	2,611	2,502	2,616
Cambridge	2,070	2,409	2,576	2,613	2,580	2,508	2,615
Bolton	2,158	2,485	2,654	2,705	2,616	2,488	2,603
Devon	2,064	2,407	2,574	2,635	2,605	2,506	2,609
Cumbria	2,066	2,410	2,575	2,639	2,600	2,470	2,598
Sefton	2,079	2,435	2,586	2,596	2,630	2,492	2,590
Barnsley	2,061	2,425	2,580	2,602	2,594	2,489	2,117
Leicestershire	2,097	2,446	2,608	2,642	2,593	2,483	2,601
Shropshire	2,114	2,441	2,589	2,625	2,583	2,479	2,596
Leeds	2,131	2,494	2,652	2,680	2,613	2,480	2,597
North Tyneside	2,063	2,444	2,628	2,582	2,557	2,483	2,620
St. Helens	2,035	2,402	2,527	2,539	2,590	2,467	2,609
North Yorkshire	—	—	—	—	—	—	2,650
Northumberland	2,036	2,377	2,544	2,587	2,566	2,421	2,582
Somerset	2,041	2,379	2,547	2,582	2,558	2,489	2,580
Northamptonshire	2,064	2,398	2,569	2,604	2,547	2,448	2,568
Wiltshire	2,053	2,401	2,555	2,590	2,546	2,451	2,561
Hereford and Worcester	2,026	2,348	2,500	2,513	2,511	2,439	2,556
Gloucestershire	2,044	2,369	2,528	2,569	2,541	2,435	2,542
Derbyshire	2,032	2,345	2,491	2,522	2,516	2,415	2,555

Unit cost £

LEA	1990–91	1991–92	1992–93	Secondary 1993–94	1994–95	1995–96	1996–97
Wakefield	2,038	2,418	2,574	2,569	2,539	2,421	2,536
Dorset	1,988	2,321	2,502	2,569	2,554	2,440	2,536
Bury	2,001	2,313	2,456	2,464	2,498	2,405	2,517
Tameside	2,113	2,458	2,601	2,590	2,556	2,428	2,530
Warkwickshire	2,034	2,369	2,516	2,543	2,516	2,433	2,543
Trafford	2,066	2,389	2,550	2,551	2,515	2,420	2,518
Wigan	1,989	2,302	2,464	2,505	2,537	2,391	2,523
Cheshire	2,013	2,334	2,487	2,532	2,542	2,408	2,529
Suffolk	2,022	2,358	2,520	2,553	2,522	2,422	2,538
Dudley	2,005	2,326	2,484	2,498	2,521	2,408	2,526
Staffordshire	2,000	2,332	2,489	2,528	2,504	2,398	2,520
East Riding of Yorkshire	—	—	—	—	—	—	2,517
York	—	—	—	—	—	—	2,533
Bath and north east Somerset	—	—	—	—	—	—	2,462
Solihull	2,002	2,319	2,514	2,542	2,527	2,376	2,468
Stockport	1,967	2,299	2,437	2,449	2,484	2,374	2,482
North Somerset	—	—	—	—	—	—	2,462
South Gloucestershire	—	—	—	—	—	—	2,442
Avon	2,028	2,369	2,524	2,582	2,566	2,460	—
Cleveland	2,231	2,606	2,772	2,772	2,719	2,589	—
Humberside	2,150	2,500	2,656	2,684	2,644	2,509	—
North Yorkshire	2,050	2,387	2,537	2,544	2,518	2,422	—
England	2,192	2,569	2,746	2,800	2,765	2,655	2,728
Inner London	3,058	3,676	3,939	4,091	3,894	3,889	3,834
Outer London	2,493	2,935	3,136	3,203	3,120	2,993	3,067
Mets	2,144	2,510	2,688	2,751	2,742	2,630	2,722
Shires	2,076	2,420	2,580	2,612	2,582	2,472	2,589
Isles of Scilly	2,141	2,481	2,643	2,714	2,665	2,527	2,507 2,650

HOME DEPARTMENT

Open Prisons

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many prisoners convicted since 1979 of a crime involving violence against the person served the greater part of their sentence in an open prison. [34428]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Mr. Gordon Prentice, dated 1 July 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners convicted since 1979 of a crime involving violence against the person who had served the greater part of their sentence in an open prison.

The information requested is not available and could be obtained only at disproportionate cost.

Green Issues

Mr. Martyn Jones: To ask the Secretary of State for the Home Department if he will list the green issues mentioned in the list of ministerial responsibilities for his Department; and if he will make a statement. [34343]

Mr. Howard: Green issues in the Home Office are the responsibility of my right hon. and noble Friend Baroness Blatch. They consist of the green housekeeping strategy, which sets out the Department's policy on conserving natural resources and reducing environmental pollution. The strategy is supported by action plans incorporating recycling and energy efficiency schemes and a range of other green housekeeping initiatives.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department (1) how many times during the last 12 months prison officers were required to work a double shift at Doncaster prison; and what was the reason for the requirement; [35006]

(2) how many prison officers have been seconded during the last 12 months to Doncaster prison; from which prison establishment they came; and if Her Majesty's inspectorate of prisons was informed of the seconded prison officers working at Doncaster prison when it visited the prison; [35014]

(3) how many prison officers have been seconded during the last 12 months from Doncaster prison; to which prison establishment they went; and if Her Majesty's inspectorate of prisons was informed of the Doncaster seconded prison officers when it visited the prison. [35012]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alan Walker to Mr. Martin Redmond, dated 1 July 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about staffing at Doncaster prison.

Premier Prison Services' policy is not to operate double shifts and there is no record of staff working double shifts, neither have any prison officers been seconded to Doncaster prison in the last 12 months. However, five prisoner custody officers, who were attending a control and restraint course at the national training centre on 15 November 1995, were seconded to Full Sutton prison for two days to assist in quelling a disturbance. Her Majesty's Inspectorate of Prisons was made aware of this incident and the use of Premier Prison Services' staff during the inspection in March 1996.

Royal Family (Policing Costs)

Mr. Flynn: To ask the Secretary of State for the Home Department what has been the total cost in each of the past five years in policing events attended by members of the royal family. [35018]

Mr. Maclean: This information is not collected centrally.

Drug Seizures

Mr. Callaghan: To ask the Secretary of State for the Home Department how many seizures of illicit drugs have been made by police and customs from 1990 to date; and what is the estimated value of the drugs seized. [35051]

Mr. Sackville: The information requested on the number of seizures of controlled drugs made by police and customs from 1990 to 1994 is contained in tables 1.1 and 2.2 of the Home Office statistical bulletin "Statistics of drugs seizures and offenders dealt with, United Kingdom , 1994", copies of which are in the Library.

In addition, Her Majesty's Customs and Excise informed us that the following number of seizures of controlled drugs were made by it during 1995:

Heroin: 185

Cocaine: 496

All synthetic drugs: 291

of which amphetamines: 158

MDMA: 133

Cannabis (all forms): 6,049.

Data for 1995 for police forces will be published later in the year.

Chiefs of Police Conference

Dame Elaine Kellett-Bowman: To ask the Secretary of State for the Home Department if he will assess the paper presented by Judge Goldstein to the conference of chiefs of police on 17 June; and if he will make a statement. [34656]

Mr. Sackville: Courts in this country have powers to ensure that, in appropriate cases, drug misusing offenders receive treatment as part of a community sentence. Treatment for minor offenders is also arranged through arrest referral schemes set up between the police and drug treatment agencies.

In the light of Judge Goldstein's paper on the American system of drug courts, the scope for maximising the use of non-custodial drug treatment options is currently under review.

Racial Discrimination (Drugs)

Mr. Cohen: To ask the Secretary of State for the Home Department what assessment his Department has recently undertaken of the extend of racial discrimination in respect of drugs enforcement and penalties. [34658]

Mr. Maclean: The police have conducted ethnic monitoring of stops and searches since April 1993, and ethnic monitoring was extended from 1 April this year to include arrests and cautions, among other matters. Drugs enforcement is not separately identified in ethnic monitoring.

International Association of Women Police Training Conference

Ms Walley: To ask the Secretary of State for the Home Department if he will renew his offer of grant aid to the International Association of Women Police training conference in Birmingham on 31 August; and if he will make a statement. [34887]

Mr. Maclean: No such offer of grant has ever been made or withdrawn. This was confirmed in writing to the organisers of the conference last year.

Missing Patients

Mr. Cann: To ask the Secretary of State for the Home Department what action he has taken since March to ensure that all police forces have formal missing patients procedures in co-operation with local hospitals and social services departments to include a system for inquiry into cases of repeated absconding by patients with restriction orders. [34608]

Mr. Maclean: The Home Office, the Association of Chief Police Officers and the national health service executive are currently discussing this issue.

Police (Training)

Mr. Cann: To ask the Secretary of State for the Home Department what action he has taken since March to ensure that police forces nationally adopt training and procedures for dealing with mentally ill people comparable to those currently practised by the Metropolitan police. [34603]

Mr. Maclean: The national director of police training circulated the Metropolitan police distance learning document "Understanding Mental Disorder" to all police forces in 1995. A further Metropolitan police document was cited as an example of good practice.

The national director has invited the National Schizophrenia Fellowship to conduct a series of conferences at police training centres around the country, dealing with the vulnerability of the mentally disordered suspect.

Prisoners' Records

Mr. Cann: To ask the Secretary of State for the Home Department what action he has taken since March to review the confidentiality of prison medical records. [34605]

Miss Widdecombe: The Prison Service accepted the recommendation of the independent inquiry report into the case of Jason Mitchell that the question of confidentiality

of prison medical records should be fully reviewed. It will, as that report recommended, shortly be consulting the General Medical Council and other professional bodies for their views.

Mr. Cann: To ask the Secretary of State for the Home Department what action his Department has taken since March in respect of the role of C3 division acting in relation to information relating to *(a)* patients' index offences, *(b)* ensuring that the procedures of C3 division are in line with the Home Office practice in relation to discretionary lifer powers, *(c)* reviewing the notes for guidance of social supervisors to take account of potential conflicts in the roles of social workers arising from changes in community care, mental health and criminal justice legislation and *(d)* updating the case worker guide to require information from all who will bear responsibility for patients after care. [34631]

Miss Widdecombe: Since March, the role of the mental health unit—formerly C3 division—of the Home Office in these four areas of its caseworking functions in respect of restricted patients under the Mental Health Act 1983 has been reviewed. We have concluded that the proposal that the mental health unit should act as a repository of information about patients' index offences should be addressed as part of a wider review of risk assessment already under way. No changes in the mental health unit's practices in relation to the other elements of the question are proposed. Comparison between mental health review tribunals and discretionary lifer panels, and the statements provided to each, are not valid; the social supervisor's role in respect of restricted patients is not subject to the conflict of role implied in the question; and the caseworker guide already requires information from all parties who will be responsible for the supervision of conditionally discharged patients in the community.

Vehicle Purchases (Metropolitan Police)

Mr. Spellar: To ask the Secretary of State for the Home Department how many Mercedes vehicles the Metropolitan police has purchased in the current financial year and in each of the past two years. [34866]

Mr. Maclean: I understand from the Commissioner that the Metropolitan police have not purchased any Mercedes vehicles in the current financial year, that six were acquired for evaluation in 1994–95, and that 40 were purchased in 1995–96.

Crown Court Witness Service

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what support services are made available by the Crown court witness service to victims and other witnesses. [34881]

Mr. Maclean: The Crown court witness service is run by Victim Support and funded by the Home office to help victims and witnesses through the stress of attending court. It provides a range of services, including general information, pre-trial familiarisation visits, explaining how the court works, supporting witnesses before, during and after they have given evidence, and linking witnesses to other sources of support.

Mr. Cunningham: To ask the Secretary of State for the Home Department how many *(a)* victims and *(b)* other witnesses have used Coventry Crown court witness service since its establishment; and what this figure is as a percentage of the total number of witnesses appearing in Coventry Crown court. [34882]

Mr. Maclean: Victim Support advises that the Coventry Crown Court witness service has helped 777 people since September 1994. The Crown Prosecution Service advises that information about the total number of witnesses could be provided only at disproportionate cost.

Appropriate Adult System

Mr. Cann: To ask the Secretary of State for the Home Department what study has been undertaken since March of the appropriate adult system in criminal justice; and what plans he has to extend its role. [34611]

Mr. Maclean: An appropriate adults review group was set up in 1994 in response to a recommendation of the royal commission on criminal justice. The group reported last year. The Home Office is consulting the Association of Chief Police Officers before issuing guidelines to the police service in response to the report. The review group did not recommend an extension of the role of appropriate adults.

Firearms

Mr. William Ross: To ask the Secretary of State for the Home Department how many claims are outstanding for compensation under the pay book scheme for firearms recommended for compensation under the terms of the Firearms Act 1988; and what is the value claimed in each case. [34836]

Mr. Maclean: None. The Department has considered all claims made under the Government buy-in scheme for weapons which became prohibited by virtue of the Firearms (Amendment) Act 1988 and has advised the claimants of the outcome. Offers have been made to all claimants entitled to receive compensation.

Mr. Corbett: To ask the Secretary of State for the Home Department if he will place in the Library copies of the agenda and minutes of a meeting held at the Home Office on 30 November 1987 between officials of the firearms division and representations of the International Shooting Sportspersons Liaison Committee. [35291]

Mr. Maclean: We have been unable to locate details of the meeting referred to. Routine papers are destroyed after five years.

Mr. William Ross: To ask the Secretary of State for the Home Department if he will place in the Library an index of all Home Office letters, circulars, guidance and memorandums to the Association of Chief Police Officers of England, Wales and for Scotland since 1967 relevant to the administration of the Firearms Acts of 1968, 1988, 1992 and 1994 indicating the number or reference of the letter or document, together with the date of issue and title. [34837]

Mr. Maclean: The Home Office does not issue guidance on firearms administration to either the Association of Chief Police Officers for England and Wales or to the Association of Chief Police Officers for

Scotland. An index of correspondence and letters of consultation with these two organisations does not exist and could be obtained only at disproportionate cost.

Mr. Ross: To ask the Secretary of State for the Home Department if he will place in the Library an index of all Home Office circular letters to police authorities since 1967 relevant to the administration of the Firearms Acts of 1968, 1988, 1992 and 1994 indicating the number or reference of the circular together with the date of issue and title. [34839]

Mr. Maclean: Police authorities receive copies of Home Office circulars to chief officers of police, an index to which is already in the Library. I am not aware of any other documentation relating to firearms administration which has been issued to police authorities.

Mr. Ross: To ask the Secretary of State for the Home Department if he will place in the Library an index of all Home Department circular letters, to chief officers of police since 1967 relevant to the administration of the Firearms Acts of 1968, 1988, 1992 and 1994 indicating the number or reference of the circular together with the date of issue and title. [34841]

Mr. Maclean: Copies of those circular letters to chief officers relating to firearms administration which are readily available have already been supplied to the hon. Member. No comprehensive index of any such letters exists and it could be obtained only at disproportionate cost.

Bombs

Mr. William Ross: To ask the Secretary of State for the Home Department what further steps he intends to take to prevent the sale of materials which can be used to formulate explosive devices and bombs. [34842]

Mr. Maclean: There are extensive legal controls on the manufacture and possession of explosives, and these are kept under constant review. It would not be practical to restrict all materials which might be used in the manufacture of explosives. Many have other legitimate uses.

Mr. Raghbir Singh

Mr. Winnick: To ask the Secretary of State for the Home Department if he will list the representations he or Ministers in his Department have received from hon. Members on the case of Mr. Raghbir Singh; and if he will give the political affiliation of the hon. Members. [34956]

Mr. Howard: Two hundred and thirty-two letters have been received from 197 Members of Parliament about the case of Mr. Raghbir Singh. One hundred and twenty-five were received from Labour Members, 86 from Conservative Members, 14 from Liberal Democrat Members, two each from Ulster Unionist and Plaid Cymru Members, and one each from Members representing the Social Democratic and Labour party, Democratic Unionist party and the Scottish nationalists. In addition, 16 parliamentary questions and one early-day motion have been tabled by eight Labour Members.

Mr. Winnick: To ask the Secretary of State for the Home Department what requests have been made on behalf of Mr. Raghbir Singh for him to make compassionate or family visits under escort; and how many were agreed to. [34987]

Mr. Howard: Mr. Singh has made two requests to make a compassionate or family visit. On 31 January, he was granted permission to attend his father-in-law's funeral. On 3 June, an application to attend his niece's wedding was rejected.

Mr. Winnick: To ask the Secretary of State for the Home Department what has been the average time between the reception of letters over the case of Mr. Raghbir Singh and the issue of replies; and if replies to correspondents who were not hon. Members have been signed by Ministers. [34957]

Mr. Howard: A full answer is not readily available and could be obtained only at disproportionate cost. Correspondence from members of the public is not routinely answered by Ministers.

Prisoners (Drug Tests)

Mr. Flynn: To ask the Secretary of State for the Home Department what percentage of prisoners were found to be free of illegal drugs in each of the prisons in which drug tests have been undertaken in the past two years. [34955]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alan Walker to Mr. Paul Flynn, dated 1 July 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the percentage of prisoners found to be free of illegal drugs in each of the prisons in which drug tests have been undertaken in the past two years.

Mandatory drug testing was introduced in eight first phase establishments from February 1995. From September 1995 to March 1996 the process of implementation to all other establishments was undertaken. Data on the full prison estate is therefore only available from April 1996 to date.

The attached table shows the percentage of prisoners providing a sample under the random mandatory drug testing programme which was found to be negative for drugs for each of the prisons from their date of commencement for mandatory drug testing to 10 June 1996. The number of prisoners tested to date at each prison is also shown.

A copy of this table has been placed in the Library.

Establishment	*Numbers tested*	*Percentage negative*
Acklington	210	58.57
Albany	220	91.82
Aldington	67	68.66
Ashwell	93	59.14
Askham Grange	57	85.96
Aylesbury	96	80.21
Bedford	107	62.62
Belmarsh	385	75.84
Birmingham	578	64.36
Blakenhurst	199	66.83
Blantyre House	55	94.55
Blundeston	140	64.29
Brinsford	233	64.38
Bristol	705	69.50

Establishment	Numbers tested	Percentage negative
Brixton	288	87.15
Brockhill	41	60.98
Buckley Hall	136	52.94
Bullingdon	301	60.80
Bullwood Hall	35	77.14
Camp Hill	44	68.19
Canterbury	196	72.94
Cardiff	70	51.76
Castington	180	85.56
Channings Wood	80	87.50
Chelmsford	143	56.64
Coldingley	175	61.11
Cookham Wood	92	94.57
Dartmoor	177	78.53
Deerbolt	185	82.16
Doncaster	242	66.94
Dorchester	77	45.45
Downview	169	95.27
Drake Hall	106	67.92
Durham	321	53.58
East Sutton Park	46	84.78
Elmley	502	64.34
Erlestoke House	126	66.67
Everthorpe	292	68.84
Exeter	83	73.58
Featherstone	202	47.03
Feltham	627	64.91
Ford	130	86.92
Frankland	150	58.67
Full Sutton	166	62.65
Gloucester	31	64.52
Gartree	113	69.91
Glen Parva	356	77.81
Garth	363	63.36
Grendon/Spring Hill	148	80.41
Guys Marsh	119	68.07
Haslar	86	98.84
Hatfield	93	91.40
Haverigg	378	75.93
Hewell Grange	73	90.41
Highdown	307	67.10
Highpoint	255	67.45
Hindley	166	75.30
Hollesley Bay	133	72.18
Holloway	632	78.16
Holme House	391	48.85
Hull	166	67.47
Huntercombe	142	78.17
Kingston	69	84.06
Kirkham	168	77.98
Kirklevington Grange	36	86.11
Lancaster	128	67.92
Lancaster Farms	264	79.92
Latchmere House	100	94.00
Leeds	79	63.29
Leicester	74	63.51
Lewes	157	63.70
Leyhill	213	84.04
Lincoln	243	66.26
Lindholme	530	65.10
Littlehey	384	78.65
Liverpool	217	66.82
Long Lartin	169	63.31
Low Newton	55	49.09
Maidstone	322	72.95
Manchester	330	70.91
Moorland	332	82.92
Morton Hall	60	88.33
The Mount	125	68.00
New Hall	84	80.95
Northallerton	155	71.61
North Sea Camp	77	77.92
Norwich	117	57.26
Nottingham	78	63.85
Onley	213	92.96
Oxford	36	88.89
Parkhurst	68	73.53
Pentonville	997	61.08
Portland	242	89.67
Preston	258	60.85
Ranby	262	59.54
Reading	97	71.13
Risley	582	65.30
Rochester	447	94.85
Send	86	77.91
Shepton Mallet	75	48.00
Shrewsbury	52	80.77
Stafford	356	71.07
Standford Hill	93	72.04
Stocken	156	76.28
Stoke Heath	401	85.29
Styal	203	84.73
Sudbury/Foston	316	84.18
Swaleside	358	61.73
Swansea	85	47.06
Swinfen Hall	99	71.72
Thorn Cross	150	77.33
Usk	147	93.20
The Verne	23	56.52
Wakefield	849	79.15
Wandsworth	337	90.21
Wayland	805	65.34
Wealstun	202	68.32
Wellingborough	118	64.41
Werrington	60	81.67
Wetherby	61	95.08
Whatton	160	92.50
Whitemoor	187	81.82
Winchester	287	72.82
Wolds	131	73.28
Woodhill	205	71.22
Wormwood Scrubs	372	75.81
Wymott	174	90.23

Deregulation

Mr. Steen: To ask the Secretary of State for the Home Department what is the estimated saving to business from the Deregulation (Employment in Bars) Order 1996. [34677]

Mr. Kirkhope: We understand that public houses have high rates of staff turnover and recruitment costs of more than £100 million a year. Extension of apprenticeship schemes to 16 and 17-year-olds should provide high quality, well trained and motivated recruits. Many would be likely to remain in the industry, thereby leading to significantly lower recruitment costs and to efficiency savings.

Morgan Report

Ms Janet Report: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 April, *Official Report*, column *524*, if he will list the local authorities engaged in crime prevention partnership as endorsed in the Morgan report. [35136]

Mr. Maclean: The information requested is not held centrally and could be obtained only at disproportionate cost.

Animal Welfare

Mr. Morley: To ask the Secretary of State for the Home Department (1) if he will list the animals welfare issues for which his Department has responsibility; [34302]

(2) if he will list *(a)* United Kingdom legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility. [34303]

Mr. Howard *[holding answer 25 June 1996]:* The information requested is as follows:

Domestic legislation

Game Act 1831

Protection of Animals Act 1911 (as amended)

Performing Animals (Regulation) Act 1925

Protection of Animals Act 1934

Pet Animals Act 1951 (as amended)

Cockfighting Act 1952

Abandonment of Animals Act 1960

Animals (Cruel Poisons) Act 1962

Animal Boarding Establishments Act 1963

Riding Establishments Acts 1964 and 1970

Conservation of Seals Act 1970

Breeding of Dogs Acts 1973 and 1991

Farriers (Registration) Acts 1975 and 1977

Animals (Scientific Procedures) Act 1986

Protection against Cruel Tethering Act 1988

Deer Act 1991

Protection of Badgers Act 1992

Wild Mammals (Protection) Act 1996

EU legislation

Directive 86/609/EEC on the Approximation of Laws, Regulations and Administrative Provisions of the Member States Regarding the Protection of Animals Used for Experimental and Other Scientific Purposes (and subsequent amendments)

International treaties, conventions or other obligations

European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes

European Convention for the Protection of Pet Animals

The Home Office is responsible for animal welfare issues relating to animal experimentation and to domestic, captive and wild animals listed in the legislation set out above.

Mr. Morley: To ask the Secretary of State for the Home Department if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34304]

Mr. Howard *[holding answer 25 June 1996]:* The information requested is as follows:

The relevant work is undertaken by 1.8 senior executive officers, 2.7 higher executive officers, 1.5 executive officers, 8.5 administrative officers, 6.1 administrative assistants and secretarial support, and is overseen by a grade 6 officer as part of his wider responsibilities. The animal (scientific procedures) inspectorate comprises: one chief inspector, three superintendent inspectors, 15 inspectors and secretarial support.

Prisons (Capacity)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the certified normal accommodation for each gaol in England and Wales and what was the actual population for the last day for which figures are available; and if he will make a statement. [33438]

Miss Widdecombe *[holding answer 20 June 1996]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 1 July 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question requesting details of the actual population and certified normal accommodation for each jail in England and Wales.

The attached table shows the actual population and the in use certified normal accommodation (CNA) on 24 June 1996.

In use CNA and population on 24 June 1996

	In use	*Population*
Acklington	662	634
Albany	436	430
Aldington	146	141
Ashwell	404	385
Askham Grange	126	124
Aylesbury	230	222
Bedford	309	351
Belmarsh	661	606
Birmingham	653	1,000
Blakenhurst	649	713
Blantyre House	106	111
Blundeston	408	397
Brinsford	473	479
Bristol	474	503
Brixton	480	595
Brockhill	159	72
Buckley Hall	350	342
Bullingdon	644	646
Bullwood Hall	125	124
Camp Hill	384	415
Canterbury	184	264
Cardiff	322	525
Castington	300	288
Channings Wood	594	574
Chelmsford	248	399
Coldingley	288	286
Cookham Wood	120	137
Dartmoor	599	592
Deerbolt	420	401
Doncaster	771	868
Dorchester	147	207
Dover	316	295
Downview	287	283
Drake Hall	285	262
Durham	598	828
East Sutton Park	94	94
Eastwood Park	135	118
Elmley	637	620
Erlestoke	270	272
Everthorpe	435	408
Exeter	253	443
Featherstone	564	551
Feltham	845	850
Finnamore Wood	56	0
Ford	498	442
Frankland	447	416
Full Sutton	572	556
Garth	513	515

In use CNA and population on 24 June 1996

	In use	*Population*
Gartree	360	357
Glen Parva	792	847
Gloucester	211	249
Grendon	245	224
Guys Marsh	300	298
Haslar	158	144
Hatfield	180	165
Haverigg	450	434
Hewell Grange	174	193
High Down	649	637
Highpoint	679	676
Hindley	531	439
Hollesley Bay	397	346
Holloway	517	580
Holme House	714	665
Hull	349	359
Huntercombe	240	233
Kingston	106	103
Kirkham	644	609
Kirklevington	100	100
Lancaster	218	212
Lancaster Farms	438	423
Latchmere House	177	159
Leeds	824	895
Leicester	207	330
Lewes	312	293
Leyhill	386	384
Lincoln	434	656
Lindholme	670	656
Littlehey	584	570
Liverpool	1,073	1,265
Long Lartin	372	354
Low Newton	192	268
Maidstone	484	525
Manchester	967	1,115
Moorland	620	626
Morton Hall	192	188
Mount	588	579
New Hall	207	211
North Sea Camp	203	153
Northallerton	152	200
Norwich	319	408
Nottingham	218	212
Onley	520	500
Oxford	122	71
Parkhurst	378	282
Pentonville	726	850
Portland	526	511
Prescoed	120	95
Preston	311	441
Pucklechurch	0	0
Ranby	517	512
Reading	203	224
Risley	790	744
Rochester	424	358
Send	137	133
Shepton Mallett	158	198
Shrewsbury	172	303
Spring Hill	210	198
Stafford	434	589
Standford Hill	384	383
Stocken	396	389
Stoke Heath	312	312
Styal	239	247
Sudbury/Foston Hall	488	487
Swaleside	512	509
Swansea	151	212
Swinfen Hall	191	191
Thorn Cross	240	178
Usk	126	168
Verne	552	546
Wakefield	727	673
Wandsworth	804	860

In use CNA and population on 24 June 1996

	In use	*Population*
Wayland	574	554
Wealstun	573	548
Wellingborough	352	310
Werrington	114	112
Wetherby	120	120
Whatton	216	216
Whitemoor	518	533
Winchester	462	535
Wolds	320	335
Woodhill	669	598
Wormwood Scrubs	715	1,093
Wymott	799	718
	52,612	54,960

NORTHERN IRELAND

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Northern Ireland if he will list those parliamentary constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [33860]

Sir Patrick Mayhew: I have visited the following constituencies on official business in the last three months:

South Antrim

East Belfast

North Belfast

West Belfast

North Down

Fermanagh and South Tyrone

For security reasons I am unable to state those constituencies I intend to visit in the next three months.

Pacific Institute

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many employees of *(a)* the department of economic development, *(b)* the local enterprise development unit, *(c)* the Industrial Development board and *(d)* the Training and Employment Agency have been involved in courses of seminars delivered by the Pacific Institute. [34087]

Mr. Ancram: The numbers attending courses or seminars organised by the Pacific Institute are as follows:

(a) Department of Economic Development HQ—3 staff;

(b) The Local Enterprise Development Unit—Nil;

(c) The Industrial Development Board—20;

(d) The Training and Employment Agency—7.

Bovine Spongiform Encephalopathy

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his Department's definition of a farm holding in relation to BSE. [34336]

Mr. Ancram: The Department defines a farm holding in relation to BSE as an independent agricultural establishment in which bovine animals are regularly kept or bred.

Northern Ireland (Entry to Negotiation) Act 1996

Sir Michael Shersby: To ask the Secretary of State for Northern Ireland what steps he is taking to give effect to the Northern Ireland (Entry to Negotiation) Act 1996. [35347]

Sir Patrick Mayhew *[pursuant to his answer, 8 May Official Report c.190]:* Elections were held on 30 May, and the initial resulting meetings of both the negotiations and the forum have taken place.

Parliamentary approval for the consequential expenditure is being sought in a summer supplementary estimate for the Northern Ireland Office's administration, law, order, protective and miscellaneous services vote (class XV vote 1). Pending that approval further urgent expenditure to cover the costs of the elections and the initial costs of setting up and servicing the forum and negotiations estimated at £3,800,000 will be met by a further repayable advance from the contingencies fund.

EU Collection Centres

Mr. Morley: To ask the Secretary of State for Northern Ireland how many EU approved collection centres there were in Northern Ireland in *(a)* 1995 and *(b)* 1996. [33770]

Mr. Ancram *[holding answer 21 June]:* There were 19 such centres in Northern Ireland in both these years.

SOCIAL SECURITY

Benefit Fraud

Mr. Sheerman: To ask the Secretary of State for Social Security what inter-departmental collaboration is undertaken to identify and restrict systematic housing benefit fraud by organised crime syndicates. [30449]

Mr. Heald: The Department's investigators collaborate with other agencies where appropriate, where offences may have been committed by the same individuals against more than one agency. The Department is also represented on a number of inter-agency bodies which share intelligence on organised criminal activity. Information is shared on all benefits, including housing benefit.

Housing Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security when he will announce the introduction of a national housing benefit computer system; and if he will make a statement on the progress of the development of the system. [33791]

Mr. Heald: My right hon. Friend the Secretary of State announced in March this year that he was inviting the local authority associations to join in a study of how local authority systems can be linked, to share information with each other and with the new Benefits Agency computer system. In particular, this study would examine the merits of introducing a unified computer system covering all local authorities' housing benefit work. This work is in its early stages and a further announcement will be made in due course when the study team has reported its findings.

Disability Working Allowance

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will publish figures showing the distribution and average levels of hours of work, earnings and amounts of benefit paid under the disability working allowance. [33829]

Mr. Andrew Mitchell: The information is in the tables:

Distribution and average hours worked

Hours worked	*Number of cases*
All families	8,340
16–20	2,371
20–24	1,647
24–28	832
28–30	108
30–32	531
32–36	516
36–40	1,293
40 or more	1,042
Average hours worked	26.93

Gross weekly earnings of disability working allowance recipients

Gross weekly earnings of main earner	*Number of cases*
All families	8,340
Under £40.00	1,192
£40.00—£79.99	3,204
£80.00—£119.99	1,946
£120.00—£159.99	1,193
£160.00 and over	805
Average gross weekly earnings (£)	87.05

Amounts and average weekly payments of disability working allowance

Amount of disability working allowance in payment (£ per week)	*Number of cases*
All families	8,340
Under £10.000	289
£10.00–£19.99	595
£20.00–£29.99	925
£30.00–£39.99	1,164
£40.00–£49.99	1,885
£50.00–£59.99	640
£60.00 and over	2,842
Average weekly disability working allowance (£)	54.42

Note:
Exact numbers are quoted.
Source:
Disability working allowance 100 per cent. count of claims as at January 1996.

Mr. Smith: To ask the Secretary of State for Social Security if he will publish the most recent available figures showing *(a)* the number of people receiving disability working allowance and *(b)* an estimate of the number of potentially eligible non-claimants. [33832]

Mr. Andrew Mitchell: The information is in the table.

Number of people claiming disability working allowance (January 1996)	*Estimated number of potentially eligible non-claimants (autumn 1993)*[1]
8,340	20,000

[1] Based on research undertaken by the Policy Studies Institute, published in October 1994; should be treated with caution due to small sample sizes.

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many people are currently receiving disability working allowance which includes *(a)* the £10 allowance for working more than 30 hours a week and *(b)* the disabled child's premium. [34272]

Mr. Andrew Mitchell: As at January 1996, 3,382 received the £10 premium for working 30 hours or more a week; and 72 the disabled child's premium.

Source:

Disability working allowance 100 per cent. count of claims.

Compensation Recovery Unit

Mr. Alan Howarth: To ask the Secretary of State for Social Security how much has been recouped by the compensation recovery unit during the years 1993–94, 1994–95 and 1995–96, by amount and type of benefit. [34274]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alan Howarth, dated 27 June 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much has been recouped by the Compensation Recovery Unit during the years 1993–94, 1994–95 and 1995–96 by amount and type of benefit.

The information is given in the attached table.

I hope you find this reply helpful.

£

Benefit type	*1993–94*	*1994–95*	*1995–96*
Invalidity benefit	31,506,196.35	51,912,225.48	45,957,227.95
Incapacity benefit	Nil	Nil	21,806,993.44
Unemployment benefit	236,168.62	355,419.58	518,384.73
Sickness benefit	3,027,307.11	4,391,479.21	5,039,440.94
Income support	5,188,320.46	7,999,922.25	10,150,965.02
Attendance allowance	495,364.16	876,537.69	839,317.51
Statutory sick pay	13,874,752.39	17,268,020.16	15,281,003.03
Mobility allowance	942,886.54	1,039,547.38	821,166.41
Industrial injuries disablement benefit	7,899,333.58	12,511,359.68	16,429,575.75
Constant attendance allowance	136,815.64	244,809.00	266,496.25
Reduced earnings allowance	4,894,461.35	5,236,865.95	4,176,652.21
Retirement allowance	3,506.55	5,302.25	601.76
Family credit	914.68	625.82	Nil
Severe disablement allowance	828,476.30	1,520,197.28	1,978,326.60
Old cases act benefit	Nil	Nil	Nil
Disability living allowance	2,486,917.53	6,601,000.90	10,823,763.54
Disability working allowance	18,940.81	53,767.19	89,306.95
Exceptionally severe disablement allowance	23,894.90	61,817.02	53,128.88

Data is provisional and subject to amendment.

Adult Dependants Benefits

Mr. Alan Howarth: To ask the Secretary of State for Social Security what was the spending on increases to benefits for adult dependants during 1995–96 in respect of *(a)* incapacity benefit, *(b)* severe disablement allowance and *(c)* unemployment benefit. [34243]

Mr. Burt: The information is in the table.

Estimated expenditure on adult dependency increases in 1995–96

	£ million
Incapacity benefit	770
Severe disablement allowance	5
Unemployment benefit	85

Estimates rounded to the nearest £5 million.

Mr. Howarth: To ask the Secretary of State for Social Security how many *(a)* male and *(b)* female claimants of (i) severe disablement allowance, (ii) incapacity benefit and (iii) unemployment benefit also claim an allowance for an adult dependant; and if he will indicate the average amount of benefit payable in each case. [34214]

Mr. Burt: The information is in the table.

Benefit	*(a) Males to whom an adult dependency increase is payable*	*Average amount in payment £*	*(b) Females to whom an adult dependency increase is payable*	*Average amount in payment £*
Severe disablement allowance	3,000	20.69	1,000	21.15
Incapacity benefit	361,000	31.75	5,000	34.16
Unemployment benefit	53,000	27.78	1,000	27.11

[1] Figures are rounded to the nearest thousand.

[2] Severe disablement allowance and incapacity benefit figures are taken from a 5 per cent. sample of cases recorded on the incapacity benefit computer system and exclude a small number of clerically paid cases. The figures are for claimants in receipt of an adult dependency increase at 29 February 1996.

[3] Unemployment benefit figures are taken from a 5 per cent. sample of unemployed claimants taken on 8 February 1996.

Invalid Care Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of the costs of raising the invalid care allowance to *(a)* the level of unemployment benefit and *(b)* the level of retirement pension. [34227]

Mr. Burt: The estimated cost, at 1996–97 rates, of raising the rate of invalid care allowance to the levels of unemployment benefit and retirement pension is £150 million a year and £330 million a year respectively.

Note:

The rate of invalid care allowance is equivalent to the rate of retirement pension, category B (lower) based on spouse's contributions.

Mr. Howarth: To ask the Secretary of State for Social Security how many people have been disqualified from invalid care allowance during 1995–96 broken down by reason for disqualification. [34226]

Mr. Burt: The information is in the tables.

Disallowed claims 1995–96

Reason	*Numbers*
Claimant under 16	8
Claimant over 65	2,072
Qualifying benefit not in payment	21,818
Caring less than 35 hours a week	201
Gainfully employed	1,891
In receipt of other benefits[1]	3,119
Other reasons	20,099
Total	49,208

Awards terminated 1995–96

Reason	*Numbers*
Death of disabled person	23,694
Ceased caring	19,002
Qualifying benefit ceased	4,130
Overlapping benefits[1]	8,607
Gainfully employed	5,390
Other reasons[2]	6,575
Total	67,398

Notes:

[1] Underlying entitlement to invalid care allowance may remain with consequent entitlement to carers premium within the income-related benefits if appropriate.

[2] "Other reasons" includes disallowances on grounds of residence/presence, full-time education, more than one carer claiming for same disabled person, and carer claiming for more than one disabled person.

Source:

Invalid care allowance unit, based on 100 per cent. count of cases subject to amendment.

Freeline Service

Mr. Burden: To ask the Secretary of State for Social Security what plans he has for the future of his Department's freeline service. [34634]

Mr. Roger Evans: I refer the hon. Member to the answer that I gave to the hon. Member for Milton Keynes, North-East (Mr. Butler) on 21 June, *Official Report*, column *629*.

Incapacity Benefit

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many IB50 questionnaires have been *(a)* issued and *(b)* returned; and how many people have been examined for the all-work test in the year ended April 1996. [34268]

Mr. Burt: The information is not available in the format requested. Such information as is available is as follows:

April 1995–March 1996

Questionnaires issued: 1,317,715

August 1995–March 1996[1]

Examinations conducted: 328,551

Notes:

[1] Separate figures for the number of people who have been examined for the all work test have been kept only since August 1995.

1. Data are provisional and subject to change.

2. No records are kept of questionnaires returned. However, a recent sampling exercise indicates that 93 per cent. of questionnaires are returned within the six weeks time limit.

Mr. Howarth: To ask the Secretary of State for Social Security how many people who have been disallowed *(a)* incapacity benefit, *(b)* severe disablement allowance, *(c)* income support with a disability premium and *(d)* credits, have subsequently signed on as unemployed during the year ended April 1996 and received (i) unemployment benefit, (ii) income support and (iii) both. [34267]

Mr. Burt: The information is not available in the format requested.

Up to the end of March 1996 there were 40,257 claims for unemployment benefits from people who have been found capable of work under the provisions of the Incapacity for Work Act 1994.

National Insurance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many people in receipt of *(a)* family credit and *(b)* disability working allowance are currently earning below the lower earnings limit for national insurance contributions. [34319]

Mr. Heald: There are 133,000 family credit awards and 2,752 disability working allowance awards where the main earner earns less than lower earnings limit for national insurance contributions.

Notes:

1. The exact number is quoted for disability working allowance. Number of family credit claims is rounded to the nearest thousand.

2. The lower earnings limit referred to for the purposes of this question is the amount for April 1995–April 1996 which was £58.00 per week.

3. Data for family credit and disability working allowance, is for October 1995 and January 1996 respectively.

Source:

1. Family credit 5 per cent. sample of awards.

2. Disability working allowance 100 per cent. count of claims.

3. Social security statistics 1995.

Overpayments

Mr. Frank Field: To ask the Secretary of State for Social Security how many recoverability determinations of overpayment have been made by adjudication officers under section 71 of the Social Security Admissions Act 1992 and equivalent previous provisions in each year since 1988; what amounts of such overpayments were recovered in cash terms and at constant prices, in each year since 1988 for which figures are available; and what estimate he has made of the annual recovery of overpayments which would be achieved under the provisions of the Social Security (Overpayments) Bill. [34784]

Mr. Heald: The information is not available in the format requested. Such information as is available is as follows.

The Benefit Agency's 1996–97 target for recovering benefit overpayments is £91.5 million. In addition, £43.5 million is expected to be recovered under the agency's security and control programme, although the full amount will not be recovered during 1996–97.

The provisions of the Social Security (Overpayments) Bill 1996 would not increase the amount of overpaid benefit recovered. It has been introduced following a decision by a social security commissioner on overpayment recovery. The Bill reinstates the long standing policy and practice of correcting benefit in payment immediately an overpayment is discovered and allowing a decision on the overpayment to be made at a later date.

		Amount recovered[2]	
Year	*Number of recoverable determination*[1]	*£ million cash prices*	*£ million 1996–97 prices*
1991–92	87,337	24.3	27.99
1992–93	256,078	43.5	48.15
1993–94	405,984	79.6	85.62
1994–95	590,218	116.0	122.47
1995–96	546,861	122.1	125.46

[1] The number of determinations includes recoveries under sections 71 and 74 of the Act. Although separate records are not held for section 71, they would constitute the bulk of recoverable overpayments.

[2] Includes a small amount arising from recovery of "official error" overpayments which cannot be disagregated as separate records are not held.

Records of overpayment recovery are not held prior to 1991–92.

Industrial Injury Pensions

Mr. Clapham: To ask the Secretary of State for Social Security how many industrial injury pensions were paid in the last complete year for which figures are available; what proportion was for industrial diseases; of these how many were for *(a)* pneumoconiosis, *(b)* asbestosis, *(c)* occupational deafness and *(d)* chronic bronchitis and emphysema. [34950]

Mr. Roger Evans: Information is not available in the format requested. Such information as is available is set out in the table.

As at 1 April 1995 the number of industrial injuries disablement benefit assessments in payment was 237,208. Of these, 44,544 assessments or 18.78 per cent. were in respect of prescribed industrial diseases.

Assessments in payment at 1 April 1995

	Number
Pneumoconiosis[1]	12,913
Asbestos-related diseases[2]	1,794
Occupational deafness	14,201
Chronic bronchitis and/or emphysema	3,536

Notes:

[1] Pneumoconiosis, prescribed disease D1, includes pneumoconiosis, silicosis and asbestosis. Information relating to asbestosis cases alone could be provided only at disproportionate cost.

[2] The figures relating to asbestos related diseases include assessments relating to diffuse mesothelioma, prescribed disease D3; carcinoma of the lung, prescribed disease D8, and bilateral diffuse pleural thickening, prescribed disease D9.

Source:

Benefits Agency: Based on a 10 per cent. sample with an allowance for late returns. A recipient may be in receipt of more than one pension assessment.

Mr. Clapham: To ask the Secretary of State for Social Security what proportion of industrial injury pensions paid in the last complete year for which figures are available relate to workers or former workers in *(a)* coal mining, *(b)* construction and *(c)* heavy engineering. [34951]

Mr. Roger Evans: Information is not available in the format requested.

As at 1 April 1995, the number of industrial injuries disablement benefit assessments in payment was 237,208. Of these, 14.76 per cent. or 35,014 relate to workers, or former workers in the coal mining industry, including deep coal mining, opencast coal working and the manufacture of solid fuel and 12.48 per cent. or 29,594 relate to workers, or former workers, in the construction industry.

Information relating to heavy engineering is not readily available and could be provided only at disproportionate cost.

Source:

Benefits Agency—based on a 10 per cent. sample with an allowance for late returns. A recipient may be in receipt of more than one pension assessment.

Jobseeker's Allowance

Mr. Rooney: To ask the Secretary of State for Social Security what will be the impact on *(a)* housing benefit and *(b)* mortgage interest payments of a benefit sanction for non-compliance with a jobseeker's direction during the two-week and four-week periods under the jobseeker's allowance. [35288]

Mr. Roger Evans: Sanctions will have no effect on housing benefit. Entitlement to mortgage interest payments will depend on whether a jobseeker can demonstrate that he is in hardship. Mortgage interest payments will continue where jobseeker's allowance is awarded under the hardship provision during the sanction.

Funeral Industry

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what plans he has to appoint an independent regulator of the funeral industry. [34411]

Mr. John M. Taylor: I have been asked to reply.

I have no such plans.

Mr. Mitchell: To ask the Secretary of State for Social Security (1) what powers he has to regulate the funeral industry; and what self-regulatory structures exist; [34423]

(2) what powers he has to limit the prices charged by the funeral industry. [34422]

Mr. John M. Taylor: I have been asked to reply.

I have no powers to limit prices charged by the funeral industry. Competition is the best regulator of prices. On self-regulation, I understand that codes of practices are operated by the relevant trade associations—the National Association of Funeral Directors, the Funeral Standards Council and the Society of Allied and Independent Funeral Directors.

HEALTH

Dental Practices, London

Mr. Cox: To ask the Secretary of State for Health how many dental practices in each London borough council accepted NHS patients in 1995. [33105]

Mr. Malone: The information available is shown in the table.

General Dental Service: number of dentists who had additions to their register, by London local borough council for year ending 31 December 1995

Local authority	*Number of dentists*
All local authority districts	3,294
City of London	11
Barking and Dagenham	41
Barnet	169
Bexley	79
Brent	138
Bromley	136
Camden	143
Croydon	148
Ealing	146
Enfield	105
Greenwich	77
Hackney	65
Hammersmith and Fulham	93
Haringey	121
Harrow	89
Havering	74
Hillingdon	96
Hounslow	105
Islington	78
Kensington and Chelsea	74
Kingston upon Thames	71
Lambeth	113
Lewisham	114
Merton	62
Newham	70
Redbridge	98
Richmond upon Thames	84
Southwark	111
Sutton	90
Tower Hamlets	76
Waltham Forest	85
Wandsworth	145
City of Westminster	187

Additions to the register include instances of patients registering with a dentist after a break in attendance and instances of reinstatement of registrations that have been cancelled in error. Some dentists have contracts in more than one London Borough Council area. Where appropriate, these dentists have been included in the calculation for each London Borough Council area in which they are under contract.

Counts relate to registrations for which payments were authorised during the year. Payments are made one month in arrears.

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Health if he will list those parliamentary constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [33863]

Mr. Dorrell: In the past three months, I have visited the following constituencies:

Kensington
City of London and Westminster, South
Welwyn Hatfield
Leeds, Central
Ealing, Southall
Bow and Poplar
Holborn and St. Pancras
Cambridge
Rutland and Melton
Meriden
Chelsea
Leicester, East
Coventry, South-west
Coventry, South-east
Coventry, North-east
City of Chester
Halton
Birmingham, Ladywood
Harrogate

The constituencies which I expect to visit in the next three months are as follows:

Leicester, South
City of London and Westminster, South
Chelsea
Hartlepool
Stratford upon Avon
Wigan

Burgner Report

Mr. Thurnham: To ask the Secretary of State for Health when the Burgner report on the responses to "Moving Forward" will be published. [34494]

Mr. Bowis: More than 500 submissions were received in response to the Government's consultation paper "Moving Forward". Mr. Burgner is now assessing these, and will be reporting his conclusions to me in due course.

Social Services Inspectorate (West Yorkshire)

Mr. William O'Brien: To ask the Secretary of State for Health (1) if he will make a statement on the work of the social services inspectorate in West Yorkshire over the past 10 years; [34337]

(2) what reports he has received from the social services inspectorate in the last 10 years in respect of individuals in West Yorkshire who had not received the service and assistance to which they were entitled under Government regulations; and if he will make a statement; [34338]

(3) if he will publish the reports from the social services inspectorate covering West Yorkshire for the past 10 years in respect of cases where local authorities social services departments have not complied with Government regulations or guidelines; and if he will make a statement. [34339]

Mr. Bowis: The work of the social services inspectorate—SSI—is described fully in the annual reports of the chief inspector, copies of which are available in the Library. In the regions, the SSI is primarily concerned with promoting departmental policy on the provision of social services, and monitoring and reporting on the work of social services departments. It is not part of its normal duties to report to Ministers on individual cases.

Since 1990, the inspectorate has carried out a number of formal inspections across the range of children's and adult services in each of the five metropolitan districts in West Yorkshire. Reports of these inspections are publicly available. Information on inspections carried out before 1990 is not available.

Asylum Seekers

Mr. Chris Smith: To ask the Secretary of State for Health, pursuant to his answer of 6 June, *Official Report*, column *509*, what are the services for people seeking asylum on which his Department is spending an additional £25 million in 1996–97. [34789]

Mr. Bowis: The £25 million has been earmarked for a special grant to compensate social services departments for additional expenditure they may incur in support of children in need, as a result of changes or prospective changes to social security benefits for asylum seekers.

Mental Health

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that in-patient units whose patients include offenders with disturbed personalities have access to psychodynamic expertise. [34616]

Mr. Bowis: All patients should have access to an appropriate range of multi-disciplinary psychological assessments, interventions and therapies. These need to be more broadly based than the dynamic psychotherapies. Assessing and meeting the need for these different therapies is a matter for local health and social services.

Mr. Cann: To ask the Secretary of State for Health (1) what action he has taken since March *(a)* to review and *(b)* to enhance the clinical training and experience in psychodynamic and forensic aspects of psychiatry of trainees in general psychiatry; [34624]

(2) what action he has taken since March to ensure that general psychiatrists taking up consultant posts with responsibility for secure beds have had a period of training in forensic psychiatry; [34621]

(3) what action he has taken since March to ensure that all trainees in general psychiatry spend a period of training under the supervision of a forensic psychiatrist. [34623]

Mr. Bowis: The standard and content of specialist medical training in psychiatry is the responsibility of the Royal College of Psychiatrists. The Department of Health holds regular meetings with the college to discuss the content of training and areas of mutual concern.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that professional clinical assessments by staff, other than those in psychiatry and nursing, are included in case conference reports, reviews and hospital transfers in respect of restricted patients. [34628]

Mr. Bowis: It is good practice to record any multidisciplinary assessments undertaken in respect of restricted patients. It is also usual for information to be transferred to the relevant agencies when patients leave hospital.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that medical members of mental health review tribunals receive a set of summary documents with reports from professionals responsible for the patient's care and treatment. [34606]

Mr. Bowis: It is good practice for the medical member to have sight of all documents concerning a patient and this is provided for in the Mental Health Review Tribunal Rules 1983.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that offender patients are given regular interviews with responsible medical officers and clinicians. [34618]

Mr. Bowis: This is good clinical practice.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to meet the training needs of *(a)* existing and *(b)* new members of mental health review tribunals. [34622]

Mr. Bowis: The introduction last year of national induction training for all tribunal members was an important new initiative which was carried through by the tribunal training group. The group has been considering the opportunities for training for existing members, which currently takes the form of discussion at regular members' meetings. The members' handbook has also been revised and the group is looking at whether a training video could be commissioned.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that reviews of practice following major untoward events involving patients detained under the Mental Health Acts are conducted by managers without direct line responsibility for the case in question. [34630]

Mr. Bowis: It is for local managers to decide who should conduct investigations into operational procedures following an untoward event.

Mr. Cann: To ask the Secretary of State for Health what steps his Department has taken since March in consultation with relevant professional bodies to draw from the best practice in child protection and to develop an inter-agency approach to case management for mentally ill patients who are discharged into the community. [34615]

Mr. Bowis: There is already a considerable body of guidance and good practice on the case management of mentally ill patients who are discharged into the community. This includes guidance on the proper implementation of the care programme approach and inter-agency working.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that responsible medical officers seek the advice of a psychologist or other suitably qualified person, who is not a member of the clinical team responsible for the patient, in respect of behaviour modification programmes, particularly in the absence of valid patient consent. [34617]

Mr. Bowis: The Mental Health Act code of practice, which has been disseminated widely, emphasises the importance of an appropriately skilled individual supervising behaviour modification programmes. This individual may or may not be attached to the clinical team responsible for the patient.

Mr. Cann: To ask the Secretary of State for Health what discussions have taken place since March with *(a)* the Royal College of Psychiatrists, *(b)* the Royal College of Nursing and *(c)* other relevant bodies to plan for additional guidance to their memberships about the inquiries they should make in respect of criminal offences committed by patients detained under the Mental Health Acts. [34629]

Mr. Bowis: It is a matter for the professional organisations concerned to provide for additional guidance to their members.

Mr. Cann: To ask the Secretary of State for Health what instructions or guidance have been given to social services departments to ensure that case records are transferred with patients restricted under the Mental Health Acts. [34627]

Mr. Bowis: The Department of Health guide to arrangements for inter-agency working for the care and protection of severely mentally ill people, "Building Bridges", which was published in November 1995, includes guidance on the use and disclosure of patient information. It calls for all agencies caring for people with mental health problems, whether restricted under mental health legislation or not, to have procedures to ensure that records are transferred, or copied, according to agency procedures, quickly when a patient moves district and/or local authority. It urges authorities to set sensible targets for the transfer of records, recommending transfer within two days in urgent cases and two weeks for less urgent cases. Copies of "Building Bridges" were sent to NHS agencies and social services departments.

Mr. Cann: To ask the Secretary of State for Health what action he has taken following the House of Lords decision in Home Secretary *v.* Oxford regional mental health review tribunal (1988) AC120 to ensure that tribunals may adjourn an application to give time for further examination of a patient's mental health before any discharge decision is made. [34614]

Mr. Bowis: Tribunals already have powers to adjourn before a final decision on whether to discharge is taken.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to ensure that only approved social workers are assigned the task of social supervision of restricted patients. [34609]

Mr. Bowis: Local authorities and probation services, from which social supervisors are drawn, are aware of their responsibility to ensure that only suitably qualified and experienced staff are appointed as social supervisors of restricted patients.

Mental Handicap

Mr. Thurnham: To ask the Secretary of State for Health if he will list the number of mentally handicapped children currently in *(a)* local authority residential care, *(b)* private residential care and *(c)* voluntary residential care (i) in the north-west and (ii) nationally; and what are the corresponding figures for 10 years previously. [34105]

Mr. Bowis: The table shows centrally available information on children and, to enable comparison between years, figures for people of all ages in homes for children.

Residents in residential care for children with learning disabilities as at 31 March

Numbers

	All sectors	*Local authority*	*Voluntary sector*	*Private sector*
North West[1]				
1987[2] all ages[3]	263	224	39	0
under 16[4]	125	106	19	0
1995 all ages[3]	164	152	12	0
under 18	153	141	12	0
England				
1987[2] all ages[3]	1,530	1,115	307	108
under 16[4]	743	579	112	52
1995 all ages[3]	1,328	919	282	127
under 18	1,037	777	189	71

Source: DH annual return RAC5

[1] North west standard statistical region.

[2] Figures are not available before 1987.

[3] Includes both children and adults receiving care in homes for children with learning disabilities.

[4] Before 1994, information was collected on children under 16, so the figures cannot be compared directly.

Clinical Psychologists

Mr. Cann: To ask the Secretary of State for Health what action his Department has taken since March to ensure the funding of an adequate number of training places for clinical psychologists. [34620]

Mr. Malone: The national health service executive issued education and training planning guidance on 17 June 1996, EL (96)46, asking education and training consortiums to consider their future demand and the level of training investment needed to ensure an adequate supply of qualified clinical psychologists. The NHS executive maintains a national overview. The number of NHS-funded training places is planned to rise by 11.8 per cent. in 1996–97.

Forensic Social Work

Mr. Cann: To ask the Secretary of State for Health what target date has been set for relevant Government Departments to require all social supervisors of restricted patients to acquire competency in forensic social work. [34597]

Mr. Bowis: It is for individual local authorities and probation services to identify the needs of their staff for training in forensic social work and to make appropriate arrangements. The competencies and training guidance in forensic social work which the Department of Health commissioned from the Central Council for Education and Training in Social Work, offers guidance to local authorities and probation services on how this can be achieved.

Food Regulations

Mr. Gordon Prentice: To ask the Secretary of State for Health what changes have been made to the eligibility criteria for milk, vitamins and other foods listed in the Welfare Food Regulations 1988. [34860]

Mr. Horam: The only change to the eligibility criteria has been to reflect forthcoming changes in the social security scheme when those entitled to an income-based jobseeker's allowance will also be eligible to receive welfare foods.

Local Authority and Health Services Staff

Mr. Cann: To ask the Secretary of State for Health if his Department has now published its advice on the role of local authority and health services staff as a single document. [34607]

Mr. Bowis: The Department published guidance on inter-agency working, "Building Bridges", in November 1995, copies of which are available in the Library. The document provides advice to a range of professionals, including health and local authority social services staff, involved with the planning and delivery of services to severely mentally ill people.

Homicide Inquiries

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to advise authorities mandated to set up inquires under NHS executive guidance HSG(94)27 regarding giving families of victims the opportunity to be present at any homicide inquiry. [34619]

Mr. Bowis: The national health service executive already encourages health authorities to keep families of victims informed of an inquiry's progress and to afford them the opportunity to give evidence.

Regional Health Service Managers

Mr. Blunkett: To ask the Secretary of State for Health if the records for staff on senior managers pay point 9 or above, employed by the former regional health authorities, were transferred to the national health service management executive on incorporation in April 1996; and if he will make a statement. [33613]

Mr. Horam: Employment records for regional health authority staff, including those at SMP9 or above, whose employment transferred to the Department of Health were retained in the regional offices when those offices became part of the national health service executive on the abolition of regional health authorities.

Information Management Group

Mr. Morgan: To ask the Secretary of State for Health what proposals he has to strengthen the senior management of the information management group. [35065]

Mr. Horam: The management of the national health service for coding and classification—a branch of the information management group—has been strengthened by the designation of two deputy directors. There are no other plans to change the management of the information management group.

Statutory Measures

Mr. Steen: To ask the Secretary of State for Health how many statutory measures his Department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996 which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35031]

Mr. Horam: This information was included in the list of regulations placed in the House Library by my right hon. Friend the Chancellor of the Duchy of Lancaster on 8 May.

Read Codes

Mr. Morgan: To ask the Secretary of State for Health what *(a)* evaluation arrangements, *(b)* business case, *(c)* value-for-money submission and *(d)* competitive tendering procedures were submitted to the Treasury for a computerised medical terms language prior to the selection of the Read codes system. [35071]

Mr. Horam: The decision to negotiate a purchase of the copyright for Read terms rested on a joint recommendation from the British Medical Association and the Royal College of General Practitioners following an evaluation of coding and classification systems undertaken by the joint computing group of these organisations.

As to the matters of a business case and value for money, I refer the hon. Member to the reply my hon. Friend the then Parliamentary Under-Secretary of State for Health gave him on 18 October 1995, *Official Report*, columns *280-81*.

Since the Read codes were a unique product for which purchase was being negotiated, there could be no question of a tendering process.

Shellfish

Mr. Steen: To ask the Secretary of State for Health how many incidents of illness in Devon have been reported as a result of eating shellfish within the last 12 months; how many of these cases emanated from plants licensed by the Government; and if each case has been notified to the local environmental health officer. [35068]

Mr. Horam: The public health laboratory service has received information on two cases of shellfish-related illness in Devon during the past 12 months. For the same period, there were 82 reported cases of illness in England and Wales associated with the consumption of shellfish, of which 70 cases were linked to shellfish originating from harvesting areas or purification plants in and around the south-western region.

Shellfish purification plants are approved by local authority environmental health departments. Environmental health departments would normally be aware of illness linked to plants in their area.

Mr. Steen: To ask the Secretary of State for Health how many cases of illness arising from consumption of shellfish have been reported in each of the last five years. [35070]

Mr. Horam: Cases of shellfish-related illness reported to the public health laboratory service were as follows:

1991: 244

1992: 186

1993: 98

1994: 104

1995: 78.

Alcohol (Young People)

Mr. Flynn: To ask the Secretary of State for Health what proposals he has to reduce the exposure of young people to high alcohol brands of lemonades and cordials. [35023]

Mr. Bowis: The Government are aware of concerns about the appeal of certain alcoholic drinks to young people. We welcome the code of practice for the packaging, marketing and sale of alcoholic drinks the Portman Group published in April. The Portman Group and other signatories will monitor the code, and we shall be following this carefully to see how effective it is in practice.

St. Bartholomew's and Royal London Hospitals

Ms Harman: To ask the Secretary of State for Health if he will make a statement about his Department's current plans on *(a)* St. Bartholomew's and *(b)* the Royal London hospitals. [35207]

Mr. Malone: A statement which, among other issues, referred to St. Bartholomew's hospital and the Royal London hospital, was made to the House on 5 April 1995.

Computer Aided Medical Systems plc

Mr. Morgan: To ask the Secretary of State for Health if he will take steps to amend the financial arrangements between the NHS and its centre for coding and classification in Loughborough and Computer Aided Medical Systems plc. [35067]

Mr. Horam: A study of the licensing arrangements between Computer Aided Medical Systems plc and the national health service has been commissioned with a view to their simplification and a reduction in their associated costs. the National Audit Office is examining the relationships between the NHS centre for coding and classicisations and Computer Aided Medical Systems plc. The arrangement referred to in the reply I gave the hon. Member on 4 June *Official Report*, at column *383*, by which the same financial consultant oversaw the accounting and book-keeping of both bodies, has been changed. The consultant now deals only with the NHS centre for coding and classification.

Drug Abuse

Mr. Flynn: To ask the Secretary of State for Health how much was spent in each of the last five years to discourage the use of *(a)* nicotine, *(b)* alcohol, *(c)* unnecessary medicinal drugs, *(d)* cannabis, *(e)* ecstasy and *(f)* heroin. [34895]

Mr. Bowis: The table shows the amount spent on behalf of the Department of Health on publicity and prevention initiatives for smoking and drug and solvent misuse over the last five years. Initiatives for drug and solvent misuse cover cannabis, ecstasy and heroin. No medicinal product can be licensed if it does not have a medicinal purpose. The figures for alcohol relate to sensible drinking messages and messages to people who may be having alcohol problems.

Financial year	*Smoking* £	*Alcohol* £	*Unnecessary medicinal drugs*	*Drug and solvent misuse*
1992–93	5,438,000	1,613,000	None	4,965,023
1993–94	8,256,000	1,548,000	None	5,296,284
1994–95	10,538,000	819,000	None	4,443,396
1995–96	6,342,000	825,000	None	5,000,000
1996–97	6,500,000	825,000	None	5,000,000

B-12 Unit, Chelsea and Westminster NHS Trust

Mr. Simon Hughes: To ask the Secretary of State for Health if the B-12 unit located at the Chelsea and Westminster NHS trust has independent provider status; and if he will make a statement. [34952]

Mr. Malone: The vitamin B-12 unit is part of the Charing Cross and Westminster medical school, located on the Chelsea and Westminster hospital site.

Ecstasy

Mr. Flynn: To ask the Secretary of State for Health what percentage of deaths involving ecstasy use in the last five years were attributed to *(a)* overheating, *(b)* excess water intake and *(c)* other causes. [34892]

Mr. Bowis: It is not possible to provide percentages in the way requested. The Office for National Statistics attributes these deaths to an underlying cause of abuse of ecstasy, or poisoning with ecstasy, not to any particular complication of the drug which may have been mentioned as having led to death.

Cannabis

Mr. Flynn: To ask the Secretary of State for Health if he will make it his policy to ensure that cannabis or further derivatives of cannabis are available to those suffering from multiple sclerosis, cerebral palsy, glaucoma and the effects of chemotherapy. [34894]

Mr. Bowis: Nabilone, a synthetic cannabinoid, is already licensed for use in the treatment of certain conditions. Should any company wish to apply for a licence for medicines derived from cannabis, the Medicines Control Agency would consider this on the basis of the product's quality, safety and efficacy.

Parliamentary Questions

Mr. Simon Hughes: To ask the Secretary of State for Health how many parliamentary questions to his Department have been referred for answer to the chief executive or other senior official of a non-departmental agency for which he has responsibility so far in the 1995–96 parliamentary Session. [34953]

Mr. Horam: A search of the parliamentary database on POLIS—parliamentary on-line information system—database has identified a total of 22 such parliamentary questions which were answered up to and including 24 June in the 1995–96 parliamentary Session. This represents less than 1 per cent. of the total.

Health Care Reforms

Mr. Bayley: To ask the Secretary of State for Health (1) which European countries *(a)* signed and *(b)* refused to sign the charter on reforming health care produced by the World Health Organisation conference on European health care reforms in Ljubljana on 17 to 20 June; [35141]

(2) which European countries were represented at the World Health Organisation conference on European health care reforms in Ljubljana on 17 to 20 June by *(a)* health Ministers and *(b)* other officials; [35131]

(3) if he will list the recommendations in the charter on reforming health care produced by the World Health Organisation conference on European health care reforms in Ljubljana on 17 to 20 June which the Government do not accept indicating the consideration underlying the Government's policy; and what other factors led the Government not to endorse the charter. [35142]

Mr. Malone: The Department of Health does not have full details of the delegations which attended the Ljubijana conference. The charter on reforming health care was adopted by consensus.

The charter was developed by the World Health Organisation principally for countries from central and eastern European and the newly independent states of the former Soviet Union whose health care structures are less well developed than those of western European countries. The reform of the national health service has continued to evolve in line with published targets and standards. The Government will continue to pursue this course for securing the highest possible standard of health care for the people of this country.

Child Abuse Inquiries

Mr. Milburn: To ask the Secretary of State for Health what was the total cost to public funds of the Leeways report chaired by Elizabeth Lawson QC. [35127]

Mr. Bowis: This was an inquiry set up by the London borough of Lewisham. I have no information on costs.

Mr. Milburn: To ask the Secretary of State for Health what was the total cost to public funds of the inquiry *(a)* into child care in Staffordshire and *(b)* the report "The Pindown Experience and the Protection of Children". [35126]

Mr. Bowis: The inquiry and report were funded by Staffordshire county council. I have no information on costs.

Mr. Milburn: To ask the Secretary of State for Health how many *(a)* reports and *(b)* inquiries have been commissioned into child abuse by his Department since 1979. [35130]

Mr. Bowis: Two statutory inquiries into child abuse have been commissioned by the Secretary of State for Health since 1979: the Cleveland inquiry 1988 and the Leicestershire inquiry 1992.

Mr. Milburn: To ask the Secretary of State for Health what was the total cost to public funds of the residential staffs inquiry chaired by Lady Howe indicating separately the cost of the report, "The Quality of Care". [35138]

Mr. Bowis: The inquiry was set up by the National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services and published by the Local Government Board. I have no information on its costs.

Royal London Hospital

Ms Harman: To ask the Secretary of State for Health when he expects the contract for the private finance initiative—PFI—rebuilding of the Royal London hospital to be signed; if he will publish the terms of the contract; and what PFI funding will be provided. [35208]

Mr. Malone: The Royal Hospitals NHS trust issued an invitation to negotiate for this work in April, and formal responses to this invitation are due by 2 September. The trust will then choose a preferred bidder and work up a full business case for approval by the NHS executive and Her Majesty's Treasury. It is too early to say what the capital value of the scheme is likely to be, or when the contract is likely to be signed.

The terms of the contract will be commercial in confidence.

Edgware General Hospital

Mr. Dykes: To ask the Secretary of State for Health if he will announce the details of the replacement emergency facilities to be established at Edgware general hospital. [35073]

Mr. Dorrell: A working group was established last December to make recommendations to Barnet health authority about medical input to the casualty service at Edgware hospital. It is meeting on 4 July to finalise its recommendations, which will then be published. Proposals for implementing the working group's

recommendations will be made public when they are sent to members of the health authority on 24 July. The health authority will reach its decision on these proposals on 31 July.

Health Service Staff Costs

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 18 December 1995, *Official Report*, column *934*, if he will update the figures on employment of non-NHS staff. [35206]

Mr. Malone: Figures for 1995–96 expenditure are not yet available.

Private Nursing Homes

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 25 June, *Official Report*, column *88*, if it is his Department's policy that health authority inspection reports into private nursing homes should be available to the public. [35210]

Mr. Bowis: I refer the hon. Member to the reply I gave him on 25 June, *Official Report*, column *88*.

Photo-chemical Fog (Deaths)

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the number of excess deaths that occurred in each period of excessive photo-chemical fog in each of the past five years. [35026]

Mr. Horam: A recent study by Professor Ross Anderson, a member of the Department of Health's committee on the medical effects of air pollutants—COMEAP—has shown that day-to-day variations of ozone concentrations are, during the warmer months of the year, related to daily mortality figures. It is not possible, however, to provide a precise estimate of the excess deaths produced by exposure to these pollutants during recent years.

The Department of Health has recently established a sub-group of COMEAP with the specific objective of improving estimates of the size of the effects of air pollutants on health in the United Kingdom. An initial report is expected in 1997.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

35. **Mr. John Marshall:** To ask the Parliamentary Secretary, Lord Chancellor's Department when he intends to publish proposals to amend the legal aid scheme. [34017]

42. **Mr. Flynn:** To ask the Parliamentary Secretary, Lord Chancellor's Department what new proposals he has to reduce the total cost of legal aid. [33700]

Mr. Streeter: The Lord Chancellor expects very shortly to announce his proposals for the reform of the legal aid scheme.

37. **Mr. Steen:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that legal aid is not available to nationals of countries which do not have reciprocal arrangements for United Kingdom nationals. [33695]

Mr. Streeter: It would not be right to place nationality restrictions on the availability of legal aid for those faced with criminal charges in this country. The Lord Chancellor will announce his proposals for fundamental reform of the legal aid system shortly. An important part of these reforms will be to ensure that the money available for civil legal aid goes to those in the greatest need.

Mr. Flynn: to ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by decile the amounts paid from, and the number of recipients of, the legal aid fund in each of the last five years. [35027]

Mr. Streeter: The information requested is not readily available and could be obtained only at disproportionate cost.

Court Buildings

38. **Mr. Simon Hughes:** To ask the Parliamentary Secretary, Lord Chancellor's Department what is the process for revising the names of court buildings in England. [33696]

Mr. Streeter: Magistrates courts are locally managed by magistrates courts committees under the provisions of the Justices of the Peace Act 1979. Any decision concerning the name of a magistrates courthouse remains that of the relevant committee. There is no fixed administrative or statutory procedure for revising the name of a county or Crown court building. However, the decision to make a name change would depend on a number of factors including, for example, location, historical connections and geographical jurisdiction.

King Edward VIII (Records)

39. **Mr. Tony Banks:** To ask the Parliamentary Secretary, Lord Chancellor's Department when he estimates that all the records relating to the activities of King Edward VIII will be in the public domain. [33697]

Mr. Streeter: Withheld public records relating to the late Duke of Windsor are being re-reviewed by the Departments which hold them, and will be released in the Public Record Office at the appropriate time.

Landowners

41. **Mr. Clifton-Brown:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has for legislation to abolish the liability for landowners to meet the cost of chancel repairs. [33699]

Mr. Streeter: The Law Commission has recommended in its report "Property Law: Liability for Chancel Repairs", Law Commission No. 152, that the liability of individual landowners for chancel repairs should be abolished, and the Government have decided that the Church authorities should be consulted further before a decision is taken as to whether this recommendation should be implemented.

Mental Incapacity

Mr. Hinchliffe: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has to amend the law in respect of mental incapacity. [33694]

Mr. Streeter: The Government announced in January 1996 that they intend to publish a consultation paper on mental incapacity. Any decisions regarding legislation will be made in the light of the outcome of consultation.

Magistrates Court, Bolton

Mr. Thurnham: To ask the Parliamentary Secretary, Lord Chancellor's Department what progress he can report with plans to build a new magistrates court in Bolton; and if he will make a statement. [33698]

Mr. Streeter: Procedures for obtaining privately financed solutions to magistrates courts' accommodation needs are being finalised. Bolton metropolitan district council will be invited to submit proposals once a revised programme and the procedures are published.

Solicitors Disciplinary Tribunal

Mr. Harry Greenway: To ask the Parliamentary Secretary, Lord Chancellor's Department how many complaints he has received on the operation of the solicitors disciplinary tribunal in the last three years; and if he will make a statement. [33693]

Mr. Streeter: My Department receives very few complaints about the solicitors disciplinary tribunal. The tribunal is entirely independent from the Lord Chancellor, although the Department has responsibility for the payment of allowances to the tribunal's lay members.

Judicial Studies Board

Mr. Merchant: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the status of the Judicial Studies Board. [35471]

Mr. Streeter: I have today placed in the Library a memorandum of understanding which gives the Judicial Studies Board greater autonomy in the organisation of judicial training, and greater responsibility for planning and financial control. It is right that the nature and content of judicial training should be primarily a matter for the judiciary, if it is to remain relevant to the judiciary's needs. I am convinced that the memorandum will, over time, help the board to enhance the quality of the training facilities made available to the judiciary, and to improve the advice and assistance which the JSB gives towards the training of magistrates and chairmen and members of tribunals.

WALES

Wheelchair Provision

Mr. Wigley: To ask the Secretary of State for Wales if he will list the wheelchair users and the organisations representing wheelchair users with whom he has consulted concerning the options that he is considering for the future of wheelchair provision in Wales; and if he will make a statement on progress on this issue. [34402]

Mr. Hague: Discussions on the future provision of wheelchair services in Wales are continuing. Once detailed options have been identified, the views of voluntary organisations representing wheelchair users will be sought.

Sport (Schools)

Mr. Win Griffiths: To ask the Secretary of State for Wales how many responses he has received on his consultation document, "Young People and Sport in Wales", and what views respondents expressed on the publication of sports results by schools in their annual report. [34425]

Mr. Gwilyn Jones: We have received several responses on the policy document "Young People and Sport in Wales" since its launch in September 1995. The document does not request views on the publication of sports results by schools in their annual report.

Swansea Institute of Higher Education (Overseas Courses)

Mr. Alan Williams: To ask the Secretary of State for Wales what recent representations he has received about the management of overseas courses by the Swansea Institute of Higher Education; and if he will make a statement. [34734]

Mr. Jonathan Evans: None.

Housing Starts

Mr. Flynn: To ask the Secretary of State for Wales what was the total of housing starts in each Welsh local authority in each of the past 11 years. [34893]

Mr. Jonathan Evans: The information is given in the table:

Dwellings started in Wales 1985–1995

Number

District	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Aberconwy	85	178	156	368	256	246	225	153	288	238	311
Alyn and Deeside	258	189	275	427	276	630	417	275	364	336	367
Arfon	117	99	178	175	187	93	198	162	192	82	97
Blaenau Gwent	26	229	206	111	240	181	190	171	135	103	180
Brecknock	117	118	114	285	233	148	162	80	134	159	43
Cardiff	1,367	1,404	1,972	1,943	1,239	976	1,383	901	974	1,358	627
Carmarthan	123	167	268	327	343	224	169	148	285	191	163
Ceredigion	213	219	259	429	421	277	274	176	208	212	325
Colwyn	225	267	394	476	380	280	230	140	188	232	264
Cynon Valley	118	87	137	122	234	235	118	281	205	163	118
Delyn	151	181	227	344	389	475	470	298	217	261	160

Dwellings started in Wales 1985–1995

Number

District	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*
Dinefwr	109	123	117	240	154	185	182	232	156	109	90
Dwyfor	57	109	64	109	54	79	74	142	68	41	36
Glyndwr	128	114	197	337	127	78	177	147	118	116	102
Islwyn	98	212	105	194	125	164	82	53	60	87	215
Llanelli	211	160	98	266	191	248	203	289	413	537	324
Lliw Valley	113	151	111	183	537	295	469	185	225	267	153
Meirionnydd	54	49	26	31	66	90	44	49	64	105	63
Merthyr Tydfil	150	109	187	167	314	156	115	97	178	189	105
Monmouth	486	351	591	569	348	260	268	285	532	461	325
Montgomeryshire	267	257	290	543	423	352	259	389	359	291	343
Neath	62	119	183	196	318	250	174	78	234	203	193
Newport	887	231	768	456	693	241	271	460	222	286	333
Ogwr	432	397	416	566	413	476	479	484	576	506	453
Port Talbot	69	63	49	157	153	169	93	70	146	95	105
Preseli Pembrokeshire	108	190	62	198	242	298	195	237	273	355	414
Radnorshire	64	83	128	266	220	122	150	123	177	135	50
Rhondda	32	27	94	227	174	124	174	142	120	136	39
Rhuddlan	148	159	126	183	159	128	160	140	266	173	112
Rhymney Valley	200	154	236	280	342	273	238	196	184	108	481
South Pembrokeshire	87	160	199	308	357	326	146	197	359	269	181
Swansea	410	367	414	814	539	321	281	421	833	1,204	631
Taff Ely	395	301	618	400	565	388	328	400	386	507	634
Torfaen	374	228	322	259	296	379	288	290	336	202	258
Vale of Glamorgan	451	624	615	497	410	343	251	464	497	410	560
Wrexham Maelor	383	388	329	431	341	498	334	464	473	342	240
Ynys Mon	129	137	176	156	305	246	124	98	143	120	127
Total	8,704	8,401	10,707	13,040	12,064	10,254	9,395	8,917	10,588	10,589	9,222

EU Funding

Mr. Win Griffiths: To ask the Secretary of State for Wales, pursuant to his answer of 20 May, *Official Report*, columns *65–66*, if he will list for each of the last three years those applications to the European Union for financial support for education and training projects on which he has received information. [34488]

Mr. Jonathan Evans: I refer the hon. Member to the reply I gave him on 26 June, *Official Report*, column *155*.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of Pembrokeshire NHS trust regarding the piloting of the Read codes computerised medical terms language in a clinical setting at Withybush hospital, Haverfordwest. [35066]

Mr. Hague: None.

Child Abuse Inquiries

Mr. Milburn: To ask the Secretary of State for Wales what was the cost to public funds of the report into child abuse in north Wales by Nicola Davies QC. [35137]

Mr. Hague: The cost was £99,500.

Mr. Milburn: To ask the Secretary of State for Wales what was the cost of public funds of "Accommodating Children—A Review of Children's Homes in Wales" by the social services inspectorate of the Welsh Office. [35139]

Mr. Hague: Part of the survey work in respect of this report was undertaken by an outside consultancy and cost £20,000.

Mr. Milburn: To ask the Secretary of State for Wales what was the total cost of public funds of *(a)* the Tymawr community home inquiry and *(b)* the report by Gareth Williams QC and John McCreadie. [35125]

Mr. Hague: The inquiry was undertaken by Gwent county council and I have no information in respect of costs.

DEFENCE

Porton Down and Nancekuke

Mr. Livingstone: To ask the Secretary of State for Defence how many former and present staff who have worked at the chemical warfare establishments at Porton Down and Nancekuke have claimed compensation since 1966 for injury or illnesses arising out of their employment at the establishments. [34468]

Mr. Arbuthnot: Since 1989, two service personnel have submitted claims for compensation in respect of injury or illness arising out of their employment at Porton Down or Nancekuke. It is not possible to establish the number of service personnel who may have claimed in the period 1966 to 1989, or the number of civilian personnel who may have claimed since 1966 without disproportionate cost, since records of claims are not held in a way that would readily provide the data requested.

RAF Accidents

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident

involving Royal Air Force Tornado serial number ZD743 in August 1995; and what is the current status of the aircraft. [34648]

Mr. Soames: RAF Tornado ZD743 is undergoing repair following damage to the underside of the fuselage when landing at RAF Bruggen on 9 March 1995.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving Royal Air Force Harrier serial number ZG510 at Gioia del Colle, Italy; and what is the current status of the aircraft. [34652]

Mr. Soames: Some damage to sensors in the nose area and canopy of RAF Harrier ZG510 was discovered after landing at Gioia del Colle on 7 August 1995. The equipment was repaired and the aircraft returned to service.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving a Royal Air Force Wessex helicopter at Sennybridge training area in autumn 1995; and what is the current status of the aircraft. [34654]

Mr. Soames: A RAF Wessex was involved in a landing incident at Sennybridge on 19 October 1995 as a result of an uncommanded yaw. The aircraft landed safely but heavily, causing the tailcone skin to tear. Following an engineering investigation, the damage was repaired and the aircraft returned to service.

Mr. Redmond: To ask the Secretary of State for Defence what was the cost of repairing Royal Navy Sea Harrier serial number XZ440 following its accident in October 1989; and what is the current status of the aircraft. [34646]

Mr. Soames: The cost of repairing Royal Navy Sea Harrier XZ440 was some £1.5 million. The aircraft is currently undergoing conversion from FRS Mk1 to FA Mk2 standard. Once the avionic and equipment installation programme is complete, the aircraft will be returned to service.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving Royal Air Force Jaguar serial number XX974; and what is the current status of the aircraft. [34650]

Mr. Soames: A search of RAF flight safety records from the beginning of 1995 has revealed two occurrences of a technical nature involving RAF Jaguar XX974, none of which has resulted in any aircraft damage. The aircraft is still in service.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving Royal Air Force Tornado serial number ZA365 during 1995; and what is the current status of the aircraft. [34645]

Mr. Soames: A search of RAF flight safety records has revealed no accident or incident involving RAF Tornado ZA365 during 1995. A bird struck the fuselage of the aircraft during a training sortie over the Moray Firth on 23 June 1994. The damage to the panel and fuselage requires complex repair work. The aircraft has not yet returned to service.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving Royal Air Force Chinook serial number ZA681; and what is the current status of the aircraft. [34649]

Mr. Soames: A bird struck the nose and windscreen area of RAF Chinook ZA681 during a training sortie from RAF Wittering to RAF Odiham on 5 December 1994. There was no damage to the aircraft, which is still in service.

Mr.Redmond: To ask the Secretary of State for Defence if he will make a statement on the accident involving a Royal Air Force Tornado at Bruggen on 23 February; and what is the current status of the aircraft. [34653]

Mr. Soames: A RAF Tornado suffered suspected gearbox failure and subsequent fire shortly after taking off from RAF Bruggen on 23 February 1996. The aircraft landed safely and the fire was extinguished. The aircraft is being examined and the extent of damage has yet to be formally assessed.

Mr. Redmond: To ask the Secretary of State for Defence what is the estimated cost of repairing Tornado serial number ZD844; and what are the estimated dates of completion of repairs and return of the aircraft to service. [34651]

Mr. Soames: The estimated cost of repairing Tornado ZD844 is some £430,000. The forecast date for completion of the structural repairs is July 1997. It is expected that ZD844 will re-enter service following a major servicing later that year.

Mr. Redmond: To ask the Secretary of State for Defence if he will make a statement on the current damage and repair status of Royal Air Force Jaguar serial number XZ396. [34647]

Mr. Soames: Jaguar XZ396 is a serviceable aircraft currently flying with a squadron based at RAF Coltishall. The aircraft has a small dent in the rear fuselage. The damage does not impair the structural integrity of the aircraft and repair has been deferred until the next scheduled major maintenance.

Visiting Forces Act

Mr. Madden: To ask the Secretary of State for Defence how many British citizens have been *(a)* detained, *(b)* arrested, *(c)* charged, *(d)* acquitted and *(e)* prosecuted by those acting under the Visiting Forces Act 1951 in each year since 1966 to date. [34310]

Mr. Soames *[holding answer 25 June 1996]:* The service courts and service authorities of a country to which section 2 of the Visiting Forces Act 1952 applies may exercise over persons subject to their jurisdiction all the powers conferred on them by the law of that country. Citizens of the United Kingdom can be prosecuted or tried under this provision only if they are members of a force of the country concerned. My Department is not aware of any such cases.

Surplus Equipment

Mr. Flynn: To ask the Secretary of State for Defence what have been the total receipts for the sale of surplus

equipment in each of the three services in each of the past five years. [35024]

Mr. Arbuthnot: This is a matter for the chief executive of the Disposal Sales Agency. I have asked the chief executive to write to the hon. Member.

Letter from Keith Ellenden to Mr. Paul Flynn, dated 1 July 1996:

I am replying to your Question to the Secretary of State for Defence about receipts from the sale of surplus equipment as this matter falls within my area of responsibility as Chief Executive of the Disposal Sales Agency.

Total receipts from the sale of surplus equipment in each of the three services in each of the past five years are shown below.

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Navy	11.842	25.307	42.403	36.202	45.706	161.460
Army	16.077	16.173	16.607	26.460	24.098	99.415
RAF	2.964	4.965	6.430	8.937	6.366	29.662
PE	1.644	1.296	1.231	1.504	1.488	7.163
Total	32.527	47.741	66.671	73.103	77.658	297.700

Naval Manning Agency

Lady Olga Maitland: To ask the Secretary of State for Defence if he will make a statement about Defence Agency status for the organisation of the naval secretary and director general of naval manpower. [35349]

Mr. Soames: I am delighted to announce that today the organisation of the naval secretary and director general of naval manpower is to be established as a Defence agency of the Ministry of Defence. It will be entitled the Naval Manning Agency, NMA.

The NMA's owner will be the Second Sea Lord and Commander-in-Chief Naval Home Command, with whom the chief executive's headquarters will be collocated within HM naval base, Portsmouth.

The NMA is to ensure that sufficient manpower is available on the trained strength and effectively deployed in peace, crisis, major crisis and war.

As the first chief executive, the naval secretary, Rear Admiral F.M. Malbon, will be offered new opportunities to build on the current organisation's professional expertise and high performance standards. In maintaining the NMA's vital contribution to front line capability, the naval secretary, through the greater delegations and authority afforded by agency status, will actively seek to improve the efficiency and value for money of his organisation.

The naval secretary has been set the following key targets for the first year of operation:

(1) Greater than 93 per cent. of officer billets to be filled.

(2) Greater than 93.5 per cent. of naval rating/royal marines other ranks billets to be filled.

(3) Total strength of naval personnel to be within 1 per cent. of the set requirement.

(4) Greater than 60 per cent. of officers to receive more than four months' notice for change of appointment.

(5) Greater than 98 per cent. of ratings/other ranks to receive more than the specified notice for change of employment.

(6) The number of occurrences where minimum time ashore criteria are not met to be fewer than 150 per year.

(7) To achieve a progressive annual 10 per cent. reduction in the number of manpower gaps.

(8) To conduct two benchmarking exercises with comparable personnel management organisations per year.

TRANSPORT

Quiet Aircraft (Investment)

Mrs. Dunwoody: To ask the Secretary of State for Transport what steps his Department is taking to ensure that investments in quiet aircraft by United Kingdom airlines are protected against the incursion of fifth freedom airlines. [33852]

Mr. Norris: All civil flights, including fifth freedom flights, operated from the UK must comply with the provisions of the EU directive and UK regulations governing the phasing out of noisier, "Chapter 2" jet aircraft. Scheduled fifth freedom services are agreed by negotiation with our bilateral partners, following consultation with UK airlines. On 19 June my noble Friend the Minister for Aviation and Shipping announced new measures aimed at tightening controls on fifth freedom charter services operated from the UK by foreign airlines. Except where flights are permitted under EC legislation, the Government's policy is to allow passenger charters to be operated by fifth freedom carriers only where no UK airline can offer a suitable aircraft.

Cycle Helmets

Mr. Galbraith: To ask the Secretary of State for Transport what plans he has to make the wearing of cycle helmets compulsory; and if he will make a statement. [34825]

Mr. Norris: The Government actively promote the benefits of cycle helmet wearing, but we have no plans to make them compulsory.

Aviation Standards

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) pursuant to his answer of 17 June, *Official Report*, column *340*, if he will list the aircraft type, registration number, flight destination and flight number of the Air Operation flight where the certificate of airworthiness was withdrawn; [34803]

(2) if he will place in the Library copies of air operation certificates issued to Air Operations Europe. [34808]

Mr. Norris *[further to his answer, 17 June 1996, Official Report, c. 340]:* The certificate of airworthiness for this aircraft was withdrawn after problems were found

during routine maintenance and the aircraft was therefore not allocated to any particular flight at the time. Details concerning aircraft and the air operator certificates of airlines are held by the relevant regulatory organisations—in this case the Swedish civil aviation authority.

Mrs. Dunwoody: To ask the Secretary of State for Transport what inspections the Civil Aviation Authority has undertaken on the DC10 operated by Excalibur Airways. [34807]

Mr. Norris: The Civil Aviation Authority carried out 12 inspections on the operation of the DC10 by Excalibur Airways in order to be satisfied that the operator was competent to operate the type for public transport in accordance with the company's air operator certificate. Since approval was given for such operations, a further two inspections have been carried out. The CAA advises me that this is a representative inspection profile.

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) how many complaints were received by the Air Transport Users Council in each of the last five years; and how many of them in each year related to airline or aircraft safety; [34805]

(2) if he will list the number and nature of complaints received by the Air Transport Users Council relating to services operated by Air Operations Europe for each of the last three years. [34806]

Mr. Norris: The hon. Member should seek this information from the Air Transport Users Council at 103 Kingsway, London WC2B 6QX.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the permits issued to Ghana Airways to fly into and out of the United Kingdom. [34804]

Mr. Norris: Ghana Airways operates scheduled passenger services between Ghana and the United Kingdom and applies for winter and summer seasonal permits to operate services. The current permit for summer 1996 allows the airline to operate four services per week between London and Accra and vice versa, in accordance with the air services arrangements agreed between our two countries.

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 21 June, *Official Report*, column *645*, how many complaints had been received regarding the safety of aircraft registered in Bulgaria; and if he will list the airlines involved. [34810]

Mr. Norris: Since 1991, the Department has received 36 passenger complaints alleging various problems or deficiencies with flights using aircraft registered in Bulgaria. The Department asked the UK Civil Aviation Authority to conduct an independent assessment in Bulgaria to ensure that International Civil Aviation Organisation standards were being applied. This assessment was carried out in February 1996.

Two Bulgarian airlines operate passenger flights to the UK. They are Balkan Airlines and Air Via.

Parking Appeals

Mr. Gerrard: To ask the Secretary of State for Transport how many appeals have so far been submitted to the parking appeals service adjudicators for London; how many of these have been determined; and how many have been successful. [34940]

Mr. Norris: The information requested is set out in the Parking Committee for London's annual report and accounts, a copy of which is in the Library.

Heavy Goods Vehicle Licences

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the number of drivers entitled to drive class 1 and class 2 heavy goods vehicles whose licences have been issued since 1991. [34811]

Mr. Norris: As explained in my reply of 17 June, *Official Report*, column *339*, the terms class 1 and class 2 heavy goods vehicle are no longer used. The total number of large goods vehicle licences issued since 1991 is 1,019,355. Information on the number of drivers to whom these licences have been issued is not readily available.

Traffic Area Offices (Cardiff and Manchester)

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will place in the Library a copy of the business case for the closure of the traffic area offices in Cardiff and Manchester. [34809]

Mr. Norris: The strategic case for restructuring the traffic area network was set out in the "Efficiency Scrutiny of the Traffic Area Network" report published in June 1995. I have placed in the Library a further copy of the report and the costings for the current proposals.

Vehicle Inspectorate

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) if he will list for each of the last three years the number of "s" endorsed prohibition notices issued by the vehicle inspectorate; [34801]

(2) whether delayed prohibition notices count towards the enforcement targets set for the vehicle inspectorate by his Department; [34799]

(3) in what circumstances *(a)* his Department and *(b)* the Vehicle Inspectorate are able to prohibit United Kingdom drivers from driving over their permitted hours when stopped at the roadside during roadside checks; [34802]

(4) if he will list for each of the last five years the number of prosecutions undertaken by the vehicle inspectorate *(a)* in the Crown courts *(b)* in magistrates courts. [34800]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate Agency to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 1 July 1996:

The Secretary of State has asked me to reply to your questions on prohibitions and prosecutions.

In 1994–95, 3,219 of all prohibitions issued were endorsed "S". Information for previous years can only be provided at disproportionate cost.

Delayed prohibition notices do count towards the enforcement targets set for the Vehicle Inspectorate (VI).

VI does not have the power to prohibit United Kingdom drivers from driving over the permitted hours when stopped at the roadside during roadside checks.

Information for the last five years on the number of prosecutions taken by VI at a) Crown Court and b) Magistrates' Court can only be provided at disproportionate cost.

Severn Crossings

Mr. Spellar: To ask the Secretary of State for Transport, pursuant to his answer of 24 June, *Official Report*, column *32*, what repair work has had to be undertaken on the approach roads to the original Severn bridge as a result of defective steelwork; and what has been the effect on traffic flows. [34946]

Mr. Watts: No repair work has been undertaken on the approach roads to the original Severn bridge as a result of defective steelwork.

Mr. Flynn: To ask the Secretary of State for Transport what percentage of traffic used each of the Severn river crossings in each week since its opening. [34886]

Mr. Watts: In each of the first three weeks of the new Severn crossing being opened, approximately 75 per cent. of traffic has used the new bridge and 25 per cent. the old.

Mr. Flynn: To ask the Secretary of State for Transport what estimate he has made of the difference between the total costs of the second Severn crossing *(a)* under the present arrangements and *(b)* financed entirely by public funds; and if he will make a statement. [35028]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Paul Flynn, dated 1 July 1996:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question asking what estimate he has made of the difference between the total costs of the Second Severn Crossing (a) under the present arrangements and (b) financed entirely by public funds.

A comparison of the 4 private sector bids submitted in 1989 with the estimated cost of procuring the Crossing using public funds showed that the bid submitted by the winning tenderer, Severn River Crossing Plc, was cheaper and represented the best value of money. Utilising the private sector also meant that the Crossing could be provided much earlier than would have been possible if it had to compete for scarce road programme funds.

Permanent Way

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many *(a)* deaths and *(b)* serious injuries have occurred in each year since 1979 arising from unauthorised access to the permanent way by (i) children under 16 years and (b) adults. [34735]

Mr. Watts: The number of fatal accidents and serious injuries to children under 16 years and adults arising from unauthorised access to the permanent way is shown in the following table:

Year	Fatal accidents			Serious injuries		
	Adults	Children	Total	Adults	Children	Total
1979	121	13	363	41	24	65
1980	127	13	140	45	10	55
1981	129	18	147	34	12	46
1982	120	10	130	30	20	50
1983	131	15	146	37	27	64
1984	127	19	146	42	30	72
1985	137	13	150	49	22	71
1986	152	10	162	50	22	72
1987	129	15	144	48	15	63
1988	164	16	180	58	17	75
1989	141	8	149	34	13	47
1990	153	15	168	64	21	85
1991	28	2	30	5	4	9
1991–92	143	7	150	44	19	63
1992–93	127	5	132	46	12	58
1993–94	114	7	121	46	10	56
1994–95	128	6	134	52	9	61
Total	2,171	192	2,363	725	287	1,012

1. Figures exclude suicides and attempted suicides.

2. Figures for 1979 to 1990 cover calendar year 1 January to 31 December.

3. Figures for 1991 cover the period 1 January 1991 to 31 March 1991.

4. Figures to 1992–93 to 1994–95 cover the financial year 1 April to 31 March.

Statistics for 1995–96 are not yet available and will be published in the Health and Safety Executive's annual report on railway safety in Great Britain, copies for which are placed in the Libraries of both Houses of Parliament.

Cones Hotline

Mr. Flynn: To ask the Secretary of State for Transport if he will produce a report on the total *(a)* costs of and *(b)* number of calls received by, separately identifying non-effective calls, to the cones hotline in each year of its existence. [35025]

Mr. Watts: I refer the hon. Member to the replies that I gave him on 26 March 1996 at column *547* and on 10 July 1995 at column *403*.

Royal Train

Mr. Tony Banks: To ask the Secretary of State for Transport what was the cost of operating the royal train in 1995–96; on how many occasions it was used; and by whom. [33656]

Mr. Watts: The total cost to the Exchequer of royal travel by train in 1995–96 was £1.9 million, including train preparation, maintenance and British Transport police security. The train was used on 31 occasions by Her Majesty the Queen, the Prince of Wales, the Princess Royal and the Duchess of Kent.

Mr. Banks: To ask the Secretary of State for Transport, pursuant to his answer of 17 January, *Official Report*, column *613*, which members of the royal family used the royal train in 1994–95; and for what specific purpose in each case. [33735]

Mr. Watts: During 1994–95 the train was used by Her Majesty the Queen, the Duke of Edinburgh, the Prince of Wales, the Princess Royal and the Duchess of Kent. On each occasion, the train was used in connection with their public duties.

Central Railway

Sir John Stanley: To ask the Secretary of State for Transport if he will place in the Library the complete set of documents submitted to him by Central Railway plc under the Transport and Works Act 1992. [35072]

Mr. Watts: Central Railway plc, at our request, provided the Library with a complete set of the application documents shortly after their TWA application was made on 20 May. I understand that the Library reference number for the documents is TW27.

Wheel Loss

Mr. Tyler: To ask the Secretary of State for Transport if he will conduct a survey of wheel loss incidents to determine the number of wheels lost off trucks and buses in the United Kingdom every year. [34870]

Mr. Norris: I have asked my Department to investigate, together with the vehicle inspectorate, ways of improving the collection and collation of data to give a more accurate assessment of the incidence of wheel loss.

Mr. Tyler: To ask the Secretary of State for Transport if he will list those wheel fixings that his Department has assessed as conforming to the British standard. [34871]

Mr. Norris: My Department does not monitor or assess the quality of wheel fixing components.

Mr. Tyler: To ask the Secretary of State for Transport what research his Department has commissioned in respect of the products on the market which claim to prevent wheel loss. [34879]

Mr. Norris: My Department has not commissioned any research into products which claim to prevent wheel loss. It is a matter of departmental policy that we do not test, approve or otherwise endorse any proprietary products.

Mr. Tyler: To ask the Secretary of State for Transport if he will fund research into wheel loss. [34878]

Mr. Norris: The mechanism of wheel loss has been extensively researched through the British Standards Institution and my Department is closely involved with the relevant committee of the institution. Recommendations regarding the manufacturing quality of fixings and care and maintenance have been made based on the outcome of this research, to which the Department of Trade and Industry contributed some £35,000.

Mr. Chris Davies: To ask the Secretary of State for Transport what research his Department has *(a)* commissioned and *(b)* evaluated into road traffic accidents involving heavy commercial vehicles and attributable to lost wheel syndrome; and if he will make a statement. [35152]

Mr. Norris: My Department has not directly commissioned any research. However, we have been represented for many years on the British standards committee for wheels and tyres. This committee commissioned research by the Motor Industry Research Association into the problems of wheel loss from commercial vehicles. This research complemented work by Exeter university on behalf of the Institute of Road Transport Engineers and the Department of Trade and Industry, which contributed some £35,000 to the funding.

An analysis of the vehicle inspectorate's accident and defect database shows that since 1982 there have been 323 accident cases involving the loss of wheels from commercial vehicles. Of the cases where the inspectorate prepared a defect report, almost three-quarters were shown to be related to maintenance or abuse.

NATIONAL HERITAGE

Millennium

13. **Mr. Hanson:** To ask the Secretary of State for National Heritage if she will make a statement on regional celebrations for the millennium. [33671]

Mrs. Virginia Bottomley: Eight out of the nine flagship landmark projects for which funding has been approved are outside London. The Government are putting in place machinery to co-ordinate the many projects and events that are being planned around the UK to celebrate the millennium. My Department will lead this co-ordination. The millennium exhibition, which the Millennium Commission intends to support with up to £200 million, includes plans for a regional programme. The commission also welcomes funding applications for large-scale capital projects around the country.

20. **Mr. Gunnell:** To ask the Secretary of State for National Heritage what advice she has given to those selecting millennium projects for lottery funding concerning the regional distribution of their awards. [33678]

Mrs. Bottomley: The Millennium Commission wants to ensure a good geographical spread of awards. It expects to fund 12 landmark projects in Scotland, Wales and Northern Ireland and in each of the English regions. The commission will award funds to a number of smaller projects throughout the country.

24. **Mr. Tony Banks:** To ask the Secretary of State for National Heritage what representations she has received regarding the national site for the millennium celebration. [33682]

25. **Dr. Goodson-Wickes:** To ask the Secretary of State for National Heritage if she will make a statement on the millennium project at Greenwich. [33683]

Mrs. Bottomley: As chairman of Millennium Commission and as Secretary of State for National Heritage, I have received letters from Members of Parliament and the public about the siting of the millennium exhibition. The decision to award the exhibition to Greenwich was made by the millennium commissioners.

Credit Unions

14. **Dr. Godman:** To ask the Secretary of State for National Heritage if she will list the community-based credit unions in Scotland which have received national lottery awards indicating the average sum awarded; and if she will make a statement. [33672]

Mr. Sproat: No community-based credit union in Scotland has received a national lottery award, but the National Lottery Charities Board announced on 11 June an award of £63,590 to the credit union development initiative in Middlesbrough.

Good Causes

15. **Mr. Fabricant:** To ask the Secretary of State for National Heritage what assessment she has made of her Department's role in promoting greater public involvement in the good causes supported by lottery funding; and if she will make a statement. [33673]

Mrs. Virginia Bottomley: Distributing bodies have undertaken wide public consultation to know the views of the public when setting the rules for distribution of funds.

Minority Languages

16. **Mr. Win Griffiths:** To ask the Secretary of State for National Heritage when she next expects to discuss the programmes to promote minority languages with her European Union counterparts. [33674]

Mr. Sproat: The European Ariane programme—which has as one of its aims the support of translation of literary works between Community languages, with priority being given to lesser-used ones—was discussed at the Culture Council on 11 June, and a common position was formally adopted by Ministers on 27 June. There are no plans for further ministerial discussions.

Arts Council

19. **Mr. Waterson:** To ask the Secretary of State for National Heritage what is her policy for the Arts Council; and if she will make a statement. [33677]

Mrs. Virginia Bottomley: The Government set the legal, financial and institutional framework within which the Arts Council of England operates. Ministers make appointments to the council and determine the overall structure of arts funding and management.

Within this framework, the council's role, in accordance with its royal charter, is to develop and improve the knowledge, understanding and practice of the arts, and to increase the accessibility of the arts to the public. It achieves these objectives through grants to individual arts organisations from public expenditure and from its share of the proceeds of the national lottery.

National Lottery

22. **Lady Olga Maitland:** To ask the Secretary of State for National Heritage what is the average amount spent weekly by each household on the national lottery. [33680]

Mr. Sproat: Family expenditure survey figures published in May showed that the average household spends just over £2 on the lottery draw each week.

23. **Mr. Janner:** To ask the Secretary of State for National Heritage if she will make a statement on the operation of the national lottery. [33681]

Mrs. Virginia Bottomley: The lottery continues to be successful. It has raised more than £2 billion for the good causes. The distributing bodies have made 9,162 grants for a total of over £1.8 billion.

Camelot has now paid out 100 million prizes.

Mr. Thurnham: To ask the Secretary of State for National Heritage what recent representations she has received about the distribution of lottery moneys; and if she will make a statement. [33679]

Mrs. Bottomley: People are interested in all aspects of the national lottery, including the distribution of funds to the good causes. The lottery is an important part of national life.

English Heritage

26. **Mr. Llwyd:** To ask the Secretary of State for National Heritage if he will make a statement on the total budget allocated to English Heritage in the current financial year. [33684]

Mr. Sproat: English Heritage has budgeted for expenditure of £126.3 million in 1996–97, of which £107.3 million is to be provided by Government grant in aid. This sum includes specific provision of £2 million each for the Albert memorial and Eltham palace. The allocation for 1996–97 is 11 per cent. higher in real terms than in 1990–91.

National Volunteers Week

27. **Dr. Spink:** To ask the Secretary of State for National Heritage what support her Department gave to national Volunteers Week. [33685]

Mr. Sproat: My Department gave support to Volunteers Week in a number of ways. Financial support was given to the volunteer centre to co-ordinate the week. My right hon. Friend also participated in a number of events organised for the week, including the initial launch and a conference, "A Route to Opportunity", and the launch of business in the community's challenge 96, and the Women's Royal Voluntary Service's initiative for MPs to give an hour of their time to a WRVS project in their constituency.

Arts Support

28. **Mr. Jacques Arnold:** To ask the Secretary of State for National Heritage what recent discussions she has held on increasing private sector support for the arts. [33686]

Mrs. Virginia Bottomley: Business support is now a major component of the arts economy. I meet representatives from the business sector regularly to discuss a range of issues, including support for the arts. I also aim, through functions such as the pairing scheme receptions which I host regularly, to encourage even greater private sector involvement in the arts and in the community more generally.

Euro 96

Mr. Ainger: To ask the Secretary of State for National Heritage what contribution her Department made in cash and percentage terms to the organisation of Euro 96. [33675]

Mr. Sproat: Euro 96 has been organised on a self-financing basis. The Department and its agencies have provided more than £400,000 to support the local authorities, cultural programme organised alongside the football. The DNH-sponsored national music festival has also focused this year on Euro 96, with Department support increased by £40,000 to £100,000.

Sports Clubs

Mr. Hinchliffe: To ask the Secretary of State for National Heritage what steps are taken to monitor the use of national lottery funding by sports clubs. [33676]

Mr. Sproat: All national lottery distributors are required to monitor their awards to ensure that lottery funds are being used for the purpose the grant was given and that the projects supported represent value for money.

OVERSEAS DEVELOPMENT ADMINISTRATION

Nigerian Ministerial Delegation

Mr. Fraser: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the purpose of the current visit of the Nigerian ministerial delegation to the United Kingdom. [34827]

Mr. Hanley: The Nigerian ministerial delegation was invited to the United Kingdom by the Commonwealth ministerial action group for talks about the Commonwealth's concerns on human rights and the transition to civilian government in Nigeria.

AGRICULTURE, FISHERIES AND FOOD

Hormone-implanted Beef Imports

Mr. Hanson: To ask the Minister of Agriculture, Fisheries and Food (1) what reports he has received of imports of hormone-implanted beef entering the United Kingdom in the last year; [26275]

(2) when he expects to answer the question of the hon. Member for Delyn for answer on 22 April, ref 26275. [35095]

Mrs. Browning: I very much regret that the hon. Member has had to wait so long for a reply.

The import from third countries of meat and meat products derived from animals treated with hormonal growth promoters has been banned since 1988, as has the use of these substances within the European Community. Third countries wishing to import to the Community must submit guarantees to the European Commission regarding their plans for monitoring for these substances. Member states are responsible for implementing and policing the Community ban in respect of their own national production.

We have not received any reports in the last year of the importation of meat derived from animals to which illegal hormones have been administered. The Veterinary Medicines Directorate and the state veterinary service would immediately investigate any such allegations.

Plant Genetic Resources

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will *(a)* endorse and *(b)* financially support the global plan of action on plant genetic resources to be discussed at the Food and Agriculture Organisation's fourth international technical conference at Leipzig; and if he will make a statement. [33351]

Mr. Boswell: The global plan of action was unanimously adopted last week by the FAO fourth international technical conference, at which the UK was represented by officials from my Department and the Overseas Development Administration. The UK supports the global plan of action as a useful framework on which to base future action, and will play a full and active part in its implementation and follow up processes.

Through the ODA, the UK already provides significant resources for many of the areas identified in the global plan.

Mr. Jones: To ask the Minister of Agriculture, Fisheries and Food what action he plans to *(a)* increase and *(b)* stabilise and maintain the variety of plant genetic material used within agricultural systems in (i) the United Kingdom, (ii) the European Community and (iii) other countries; and if he will make a statement. [33353]

Mr. Boswell: The Government are well aware of the need to maintain diversity of plant genetic resources for future food security, and are already taking active steps to ensure the conservation and future sustainable use of such resources, both nationally and internationally through the implementation of the principles enshrined in the convention on biological diversity, through the reform of the common agricultural policy, and through the development of the FAO global system for plant genetic resources for food and agriculture. The Government will continue to support the principles of sustainable development in line with their strategy for sustainable development, which was published in 1994.

Sustainable Agriculture Policies

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to support sustainable agriculture policies in international meetings this year with particular reference to the Food and Agriculture Organisation international undertaking, the World Trade Organisation and the convention on biological diversity; and if he will make a statement. [33352]

Mr. Boswell: The Department is already fully committed to the principles of sustainable development, in line with the Government's strategy for sustainable development which was published in 1994. This commitment extends to international forums where such issues are discussed.

Departmental Agencies (Scientists)

Sir Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food if he will list the separate agencies operating under his Department, with the names of the scientists appointed to each and the percentage of the membership those scientists represent. [33881]

Mr. Boswell: The Ministry has six executive agencies:

Agricultural Development and Advisory Service (ADAS)
Central Science Laboratory (CSL)
Meat Hygiene Service (MHS)
Pesticides Safety Directorate (PSD)
Veterinary Laboratories Agency (VLA)
Veterinary Medicines Directorate (VMD)

I have asked agency chief executives to reply direct to the hon. Member on the remaining part of his question.

Letter from Phillip Needham to Sir Ralph Howell, dated 1 July 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply direct to your Parliamentary Question in which you ask for the names of the scientists appointed to each Agency and the percentage of membership those scientists represent. [33881]

The information for ADAS is as follows:

Assistant Scientific Officer: 199

Scientific Officer: 87

Higher Scientific Officer: 28

Total: 314

Percentage of membership of total staff: 18

Letter from Professor P. I. Stanley to Sir Ralph Howell, dated 1 July 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question about names of scientists and the percentage of membership those scientists represent in his executive agencies in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible. [33881]

I am placing copies of CSL's Annual Science Review 1994, which includes a staff listing, in the House Libraries. The percentage of scientific staff in CSL is 72%.

Letter from Johnston McNeill to Sir Ralph Howell, dated 1 July 1996:

As Chief Executive of the Meat Hygiene Service your question to the Minister of Agriculture, Fisheries and Food relating to scientists employed by Agencies under MAFF's control has been passed to me for reply with respect to this Executive Agency.

The Meat Hygiene Service (MHS) was launched on 1 April 1995 as an Executive Agency of MAFF. It took over from some 300 local authorities responsibility for enforcement of the hygiene, inspection and welfare at slaughter legislation in licensed meat premises in England, Scotland and Wales.

The MHS headquarters are based in York where the Chief Executive and the supporting functions of Operations, Finance, Human Resources and Information Technology are based. MHS services are managed by six regional offices. The Head of Operations as well as two of the Regional Managers are qualified Veterinary Surgeons. The MHS also employs Official Veterinary Surgeons (OVSs) to supervise meat inspection staff working in plants. The MHS directly employs 37 OVSs and in addition contracts out work to 110 full time equivalent vets to supplement them. 7 vets are also used on a casual basis. This represents 12% of the total MHS workforce.

I am sure you will appreciate that, for security reasons, the MHS is unable to disclose the names of its employees.

Letter from G. K. Bruce to Sir Ralph Howell, dated 1 July 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Pesticides Safety Directorate (PSD), to your question concerning the names of scientists appointed to PSD, and the percentage of the membership that these scientists represent. [3388]

I regret that, for reasons of security, I am unable to provide the names of the scientific staff employed by PSD. However, I can advise that PSD employs 134 scientists, which is 63% of the total staffing of the agency.

Letter from T. W. A. Little to Sir Ralph Howell, dated 1 July 1996:

The Minister has asked me to reply to your question on scientists in the Veterinary Laboratories Agency (VLA).

The VLA was established on 1 October 1995, from the merger of the existing Central Veterinary Laboratory with the Veterinary Investigation Service, which was part of the State Veterinary Service.

There are currently 1,049 staff employed by the VLA. The VLA's aim is to provide MAFF with an effective and efficient service of specialist veterinary, scientific and technical support, consultancy and surveillance in the fields of animal health and welfare, food safety and the environment. To support this work, the majority of VLA employees are scientists and veterinarians.

Letter from J. M. Rutter to Sir Ralph Howell, dated 1 July 1996:

The Minister has asked me to reply to your question about scientists employed in the Veterinary Medicines Directorate as this is an operational matter for which I am responsible. [33881]

There are currently 33 scientists employed in the VMD, representing 30% of the staff. The names of VMD's scientific and other senior staff are set out in the April 1996 edition of MAVIS to assist companies in their dealings with the Agency. Copies of MAVIS are in the House Library.

Cattle Slaughter Scheme

Miss Emma Nicholson: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to increase the age of calves slaughtered under the calf compensation scheme, as part of the bovine spongiform encephalopathy culling programme, to 21 days. [34101]

Mr. Baldry: The Agriculture Council agreed at its meeting on 24 to 27 June that the age limit for calves under the scheme should be increased to 20 days in appropriate cases to be agreed by the Commission. We will be seeking to implement this change in the United Kingdom as soon as the necessary legislative provisions are in place.

Miss Nicholson: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review compensation schemes for animals under 30 months of age in the current BSE culling programme; and if he will make a statement. [34102]

Mr. Baldry: Adult animals under 30 months of age are not covered by any measures of the sort described. The slaughter premium for calves is prescribed in Council Regulation 805/68, as amended.

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food when he intends to reply to the letters of 7 and 30 May from the hon. Member for Crewe and Nantwich inquiring about the scientific basis of the cattle cull. [34434]

Mr. Boswell: My hon. Friend the Minister of State replied to the letters of 7 and 30 May on 28 June 1996.

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to monitor the activities of dealers taking advantage of the cow slaughter schemes; and what action he takes in the event of abuse. [34266]

Mr. Baldry *[holding answer 26 June 1996]:* The activities of dealers are not monitored on a regular basis under the over-30 months slaughter scheme. We have, however, announced arrangements which will ensure that livestock markets get a fair share of the throughput of cattle to be slaughtered. We have also made clear that abuses of the scheme will not be tolerated.

Any allegations of abuse of the scheme rules made to the intervention board or to the office of my right hon. Friend the Chancellor of the Duchy of Lancaster will be investigated.

Bovine Spongiform Encephalopathy

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food if he will set up an inquiry to investigate the possible linkage between the Canterbury Mills animal rendering plant at Godmersham, Kent, the farm where the first BSE-infected herd was discovered in Ashford in 1985, and the cluster of Creutzfeldt-Jakob disease cases in the Ashford area. [34510]

Mrs. Browning: Extensive epidemiological studies into BSE show no correlation between the incidence of BSE and any geographical features, including the location of rendering plants. The epidemiological surveillance of CJD is the responsibility of the national CJD surveillance unit funded by the Department of Health and the Scottish Office. The unit publishes annual reports and has considered geographical clustering of CJD cases, but has failed to find any of statistical significance. The unit continues to investigate cases of suspected CJD, including any of the new variant, and would report any significant findings.

Wages

Mr. Tom Clarke: To ask the Minister of Agriculture, Fisheries and Food how many permits issued to individuals who are incapacitated for the purposes of the Agricultural Wages Act 1948 for the payment of lower minimum rates are currently in force; and what is their distribution by *(a)* region and *(b)* rates of pay. [34585]

Mr. Boswell: Permits of exemption are issued by agricultural wages committees. The tables show the total number of permits issued by each committee, in England and Wales, grouped according to their value as a percentage of the current minimum rate for an adult full-time ordinary worker.

Details of permits of exemption

England

	Value of permit (per cent. of minimum rate/£/week)						
AWC	*0–49 £0–£75.97*	*50–59 £77.52–£91.47*	*60–69 £93.02–£106.98*	*70–79 £108.53–£122.48*	*80–89 £124.03–£137.99*	*90–100 £139.53–£155.04*	*Total number of permits*
Avon, Dorset, Somerset and Wiltshire	1	1	—	—	1	1	4
Bedfordshire, Cambridgeshire, Essex and Hertfordshire	—	1	5	2	2	2	12
Berkshire, Buckinghamshire, Hampshire, Isle of Wight and Oxfordshire	—	—	2	2	1	1	6
Cheshire and Staffordshire	1	1	—	—	—	1	3
Cleveland, Durham and North Yorkshire	—	—	1	2	—	—	3
Derbyshire, Leicestershire, Lincolnshire, Northants and Nottinghamshire	1	—	1	3	1	—	6
Devon, Cornwall and Isles of Scilly	—	—	—	—	1	—	1
Gloucestershire, Herefordshire, Worcestershire, Warwickshire and West Midlands	—	—	2	1	1	—	4
Humberside	—	—	—	—	—	—	0
Kent, Surrey and East and West Sussex	1	—	—	2	2	1	6
Lancashire, Manchester and Merseyside	2	1	1	2	1	1	8
Norfolk and Suffolk	—	—	1	—	3	1	5
Northumberland, Tyne and Wear and Cumbria	2	1	—	1	17	—	21
Shropshire	—	—	1	—	—	—	1
South and West Yorkshire	—	1	2	1	1	—	5

Wales

	Value of permit (Percentage of minimum rate/£/week)						
AWC	*0–49 £0–£75.97*	*50–59 £77.52–£91.47*	*60–69 £93.02–£106.98*	*70–79 £108.53–£122.48*	*80–89 £124.03–£137.99*	*90–100 £139.53–£155.04*	*Total number of permits*
Gwynedd and Clwyd	3	—	1	—	—	5	
Gwent	1	—	—	—	—	1	
Dyfed	—	1	1	—	—	2	
Mid, South and West Glamorgan	1	—	—	—	—	1	
Powys	1	—	—	—	—	1	

Calf Exports

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food how many calves were exported to Europe in the first three months of 1996. [34600]

Mr. Boswell: Provisional overseas trade statistics show that 57,000 calves were exported from the United Kingdom to EC countries in the first three months of 1996.

Fishing Fleet (Luxembourg)

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food (1) what proposals the Fisheries Minster for Luxembourg has made to cut that country's fishing fleet; [34590]

(2) what is the current size of the Luxembourg fishing fleet. [34591]

Mr. Baldry: Luxembourg does not have a fishing fleet.

State Veterinary Service

Mr. Callaghan: To ask the Minister of Agriculture, Fisheries and Food if he will list the reviews of the state veterinary service he has undertaken over the last 10 years; in which year each review was carried out; and if he will make a statement. [35058]

Mrs. Browning: Reviews of the state veterinary service—SVS—initiated by the Minister over the past 10 years are:

1989–Next steps initiative

This resulted in the Central Veterinary Laboratory—CVL—separating from the state veterinary service and being established as a next steps agency in 1990.

1990—Review of the investigation service

The outcome was a reduction in a number of centres from 19 to 13 + one veterinary inspection unit.

1993—Review of the animal health and veterinary group (which included the SVS)

As a result of this review, the veterinary investigation service merged with the CVL in October 1995, as an enlarged agency—Veterinary Laboratory Agency—and the veterinary field service has undergone a structural reorganisation.

Throughout, the Government have ensured that their commitment to preserving the front-line resources and capabilities of the state veterinary service has been maintained.

Poultry Slaughter

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many head of poultry have been slaughtered under the control and eradication of salmonella regulations. [34994]

Mrs. Browning: Since the start of the compulsory slaughter policy for salmonella infected flocks on 1 March 1989 until 28 June 1996, 3,706,938 birds in 414 flocks have been compulsorily slaughtered.

Rendering Plants

Mr. Callaghan: To ask the Minister of Agriculture, Fisheries and Food what temperature requirements he imposes on rendering plants for the heating of animal material; and if he will make a statement. [35059]

Mrs. Browning: The various temperature requirements which have to be met by rendering plants are laid down in Council directive 90/667/EEC, implemented in Great Britain by the Animal By-Product Order 1992, as amended, and the Specified Bovine Material (No. 2) Order 1996.

Parliamentary Questions

Mr. Hanson: To ask the Minister of Agriculture, Fisheries and Food how many questions for ordinary written answer tabled for answer between 20 March and 20 June did not receive an answer within once week.

Mr. Boswell: Of the 356 written questions tabled to the Department in the period concerned, 179 did not receive an answer within one week.

Veterinary Laboratories Agency

Mr. Butterfill: To ask the Minister of Agriculture, Fisheries and Food what targets have been set for the Veterinary Laboratories Agency in 1996–97. [35437]

Mr. Douglas Hogg: I have set the Veterinary Laboratories Agency the following strategic performance targets for 1996–97:

Financial performance

full cost recovery for all Veterinary Laboratories Agency services

to comply with budgetary controls resulting from the public expenditure survey and the supply estimates

Efficiency

an overall efficiency gain of 3 per cent.

Service delivery

85 per cent. of ROAME research and development milestones achieved

Service quality

achievement of a satisfactory report from a visiting group

achievement of laboratory accreditation for bacteriology department (salmonella and E.Coli serotyping) and analytical chemistry unit (extension of the scope of accreditation to include additional tests).

Details of performance in 1995–96 will be set out in the agency's annual report and accounts, to be published during July 1996.

Fish Diseases Laboratory, Weymouth

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what is the cost of running the fish diseases laboratory in Weymouth; how many staff it employs; and what are its functions. [35069]

Mr. Baldry: The fish diseases laboratory at Weymouth is part of the Ministry's directorate of fisheries research, and its annual running costs are currently £1.9 million. It employs 53 staff and is responsible for statutory duties in relation to fish and shellfish diseases and shellfish hygiene, and undertakes related research.

British Beef Ban

Mrs. Currie: To ask the Minister of Agriculture, Fisheries and Food (1) which countries outside the

European Union have banned British beef; what action has been taken against each country; whether the UK has retaliated in kind; and if will make a statement; [27187]

(2) when he will answer the question tabled by the hon. Member for South Derbyshire for answer on 30 April on bans on British beef by non-EU countries. [34507]

Mrs. Browning *[holding answer 30 April 1996]:* I very much regret that my hon. Friend has had to wait so long for a reply.

Commission decision 96/239/EC of 27 March 1996 provided that the UK shall not export from its territory meat and meat products obtained from bovine animals slaughtered in the UK. The list of countries outside the European Union shows those countries with a ban on imports of British beef on the day before the introduction of the Commission decision.

Algeria
Argentina
Bahrain
Bulgaria
Canada
China
Iran
Iraq
Jamaica
Japan
Jordan
Kazakhstan (CIS)
Libya
Lithuania
Malaysia
Philippines
Russian Federation
Saudia Arabia
Switzerland
Syria
Taiwan
United Arab Emirates
Uzbekistan

The United States has not accepted imports of bone in beef from Britain since 1989. After 1989, negotiations concentrated on securing access to US markets for boneless beef, which were successfully concluded in July 1994. Negotiations continue on securing wider access to the US market, although in regular discussions with representatives of industry, the US has not been identified as a priority market for the export of beef.

The following countries had introduced, but subsequently lifted, a ban before 27 March.

Chile
Cyprus
Egypt
Kuwait
Lebanon
State of Sarawak (Malaysia)
Mauritius
Morocco
Oman
Poland
Qatar
Trinidad and Tobago
Tunisia
Turkey

Details of the representations made by the UK Government in respect of individual countries could be provided only at disproportionate cost. However, we have pressed our case strongly with the authorities concerned in an effort to persuade them to lift these restrictions on trade, based on the scientific evidence available from the World Health Organisation and others that there is no human health hazard arising from the consumption of UK beef.

Responsibility for pursuing action through the World Trade Organisation—WTO—to secure the removal of unjustified BSE-related restrictions on UK exports and on those of other EU member states rests exclusively with the European Commission, as with all matters relating to trade outside the EU. Action has already been started by the Commission against certain countries who have imposed bans on dairy products from various EU member states.

Written Answers to Questions

Tuesday 2 July 1996

HEALTH

Creutzfeldt-Jakob Disease

Mr. Alan W. Williams: To ask the Secretary of State for Health, pursuant to his answer of 17 June, *Official Report*, column *349*, if his Department will release figures on highly suspect cases of the new strain of Creutzfeldt-Jakob disease on a monthly basis; and what are those figures for 1995 and 1996 to date. [34511]

Mr. Horam: The information has, until now, formed part of the annual report of the national Creutzfeldt-Jakob disease surveillance unit. They will now be published quarterly in the chief medical officer's update.

In 1995 there were three deaths from the new variant of CJD while in 1996, to the end of May, there had been six deaths.

NHS Cardiac Units

Mr. Cox: To ask the Secretary of State for Health what was the number of NHS cardiac units in hospitals within the Greater London area on 30 March. [34595]

Mr. Malone: All major acute hospitals in Greater London have a coronary care unit. In addition, there were eight national health service specialist cardiac units in Greater London as of 30 March 1996.

Patient Care (Doncaster)

Mr. Redmond: To ask the Secretary of State for Health (1) what assessment he has made of the impact on patient care of the cuts proposed by Doncaster health authority in the budget of the Doncaster Healthcare NHS trust; [35017]

(2) what assessment he has made of the impact on patient care of the cuts proposed by Doncaster health authority in the budget of the Doncaster Royal Infirmary and Mexborough Montagu NHS trust. [35016]

Mr. Horam: This is a matter for Doncaster health authority and the trusts concerned. The hon. Member may wish to contact Mr. Keith Jones, chairman of the authority, for details.

Private Finance Initiative

Mr. Chris Davies: To ask the Secretary of State for Health how many NHS trusts have indicated that they may intend to seek approval for capital investment under the private finance initiative. [34885]

Mr. Horam: All national health service capital schemes are tested to see if private finance offers the best value for money. At present, 118 national health service trusts are testing schemes worth over £1 million each for which approval of the outline business case has been given.

Information is not available on schemes worth under £1 million each that are currently being tested, or on schemes for which the outline business case has not yet been prepared.

National Vocational Qualifications (Carers)

Mr. Thurnham: To ask the Secretary of State for Health what representations he has received on the adequacy of the NVQ qualifications for carers; what priority his Department accords to the training of carers; and if he will make a statement. [34945]

Mr. Bowis: A number of representations have been received on this subject.

The Government place a high priority on the training of carers. The personal social services training strategy for England seeks to improve the training of the existing PSS work force at professional and vocational levels. This Department is supporting the updated set of lifetime learning targets to achieve specified national vocational qualification—NVQ—targets by 2000 by targeting part of the training support programme on the achievement of NVQs in care. In addition, the document "Building Partnerships for Success", published in September last year, identifies staff training and development as part of the essential foundation for the development of community care. For the future we propose to increase the proportion of staff with appropriate qualifications by extending opportunities to acquire NVQs.

Beta-interferon

Mr. Gordon Prentice: To ask the Secretary of State for Health what assessment he has made of the relationship between the rate of incidence of multiple sclerosis in health authority areas and the likelihood of sufferers being prescribed beta-interferon. [34996]

Mr. Malone: None. Data on the incidence of multiple sclerosis by health authority region are not available centrally. Decisions about prescribing beta-interferon in individual cases are for the clinical judgment of the doctor concerned.

NHS Trusts (Doncaster)

Mr. Redmond: To ask the Secretary of State for Health (1) what discussions officials from his Department have had with the management of Doncaster Royal Infirmary and Mexborough Montagu NHS trust and Doncaster health authority in relation to the budget for the trust; [35020]

(2) what discussions officials from his Department have had with the management of Doncaster Healthcare NHS trust and Doncaster health authority in relation to the budget for the trust. [35019]

Mr. Horam: National health service executive officials have regular contact and discussion with Doncaster health authority and with trusts in Doncaster about a variety of matters including funding.

Mr. Redmond: To ask the Secretary of State for Health what measures he intends to take to ensure that no job losses or reductions in service occur in 1996–97 at *(a)* the Doncaster Royal Infirmary and Mexborough Montagu NHS trust and *(b)* the Doncaster Healthcare NHS trust. [34995]

Mr. Horam: These are matters for the trusts themselves. The hon. Member may wish to contact the chairmen of the trusts, Mr. Redmond Tonkinson and Mr. David Bertram, for details.

Community Health Councils

Mr. Redmond: To ask the Secretary of State for Health which districts in England and Wales are not currently represented by a community health council; and if he will make a statement. [34985]

Mr. Horam: All districts in England and Wales have a community health council.

Dispute Procedures

Mr. Redmond: To ask the Secretary of State for Health what procedures exist within the national health service for resolving disputes between a national health service trust and a health authority on a national health service trust's budget. [35005]

Mr. Horam: A copy of the latest guidance is available in the Library. This guidance, EL(91)11, will be updated shortly.

North Western Regional Health Authority (Compensation)

Mr. Callaghan: To ask the Secretary of State for Health how many *(a)* successful and *(b)* unsuccessful claims for compensation have been made against the North Western regional health authority during each of the last five years; and if he will make a statement. [35062]

Mr. Horam: There were no traceable claims for compensation in this period.

Blood Disorders

Mr. Redmond: To ask the Secretary of State for Health if he will introduce a screening programme covering all races in respect of *(a)* sickle cell anaemia and *(b)* thalassaemia; and if he will make a statement. [35104]

Mr. Horam: Individual health authorities are responsible for assessing the needs of their resident populations and for purchasing services, including haemoglobinopathy screening, to provide for those needs. In doing so, we would expect them to have regard to the recommendations in the report of the Standing Medical Advisory Committee working party on sickle cell, thalassaemia and other haemoglobinopathies, published in February 1994.

Mr. Redmond: To ask the Secretary of State for Health if he will list, by health authority region for the last 12 months, the number of white caucasians who have been diagnosed as carrying *(a)* the sickle cell anaemia gene and *(b)* the thalassaemia gene; and if he will make a statement. [35103]

Mr. Horam: This information is not available.

Health Care Purchases

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 25 March, *Official Report*, column *429*, on purchasing health care from non-NHS bodies, if he will provide a breakdown of the services bought and the sources of provision. [35367]

Mr. Malone: This information is not available centrally.

Rabies

Mr. Gale: To ask the Secretary of State for Health how many cases of human rabies have been recorded in the United Kingdom between 1971 and 1995. [35082]

Mr. Horam: There have been seven reported cases of rabies in the United Kingdom since 1976: two in 1977 and one in each of the years 1978, 1981, 1986, 1987 and 1988. All these were in people who were infected abroad.

Rabies became a notifiable disease only in 1976 and, therefore, figures for the years 1971 to 1975 are not available.

Health Funding

Mr. Lidington: To ask the Secretary of State for Health how much public money, expressed both in cash and in real terms, has been spent on the NHS in each financial year since 1978–79; and if he will make a statement. [35290]

Mr. Horam: The information is in the table.

National Health Service total net expenditure, England

£ million

Year	*Cash*	*Real terms (1994–95 prices)*
1978–79	6,273	18,284
1979–80	7,447	18,598
1980–81	9,700	20,474
1981–82	10,854	20,889
1982–83	11,819	21,234
1983–84	12,494	21,451
1984–85	13,407	21,932
1985–86	14,176	21,970
1986–87	15,173	22,827
1987–88	16,668	23,808
1988–89	18,413	24,652
1989–90	19,855	24,847
1990–91	22,326	25,865
1991–92	25,354	27,647
1992–93	27,971	29,308
1993–94	28,951	29,483
1994–95	30,581	30,581
1995–96[1]	31,985	31,129

[1] Forecast outturn

Pharmacists

Mr. Chris Davies: To ask the Secretary of State for Health (1) what representations he has received from the pharmaceutical services negotiating committee regarding the timetable of payments to pharmacists; [35151]

(2) if he will arrange for his Department to make 100 per cent. payments to pharmacists a month and a day after prescriptions are dispensed; and if he will make a statement. [35148]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Dudley, West (Mr. Pearson) on 8 March at column *397*. The payment timetable was also raised by representatives of the pharmaceutical services negotiating committee on 6 June.

Learning Disabilities

Mr. Jacques Arnold: To ask the Secretary of State for Health if he has received the results of the evaluation of different types of residential provision for people with learning disabilities which he announced on 19 December 1995; and if he will make a statement. [35576]

Mr. Bowis: I have received the report of the first phase of the evaluation and I am considering the recommendations, including those for further work in this area. The report includes information which will be helpful to commissioners of services for people with learning disabilities and copies are therefore being sent to health and local authorities and other interested organisations. Copies of the report have been placed in the Library.

NHS Computers

Mr. Milburn: To ask the Secretary of State for Health what action the NHS executive has taken to safeguard its computer systems in respect of the century date change. [35369]

Mr. Horam: Preliminary analysis of the Department of Health's own mainframe computer systems, which includes those within the national health service executive, has already been undertaken to assess the likely impact of the change of millennium. A further more detailed analysis is under way to assess fully the impact and likely costs of the change.

Mr. Milburn: To ask the Secretary of State for Health how many computers are used in the NHS. [35337]

Mr. Horam: This information is not available centrally.

Mr. Milburn: To ask the Secretary of State for Health how many trusts and health authorities have taken action to safeguard their computer systems from the year 2000 problem. [35341]

Mr. Horam: At present it is not known how many trusts and health authorities have taken action to safeguard their computer systems from the year 2000 problem. However, the national health service executive has taken steps to increase awareness of the problem and is marshalling best advice and guidance to assist it in taking appropriate action in good time.

Child Abuse Inquries

Mrs. Ann Winterton: To ask the Secretary of State for Health who will be assisting Sir William Utting in his review of children's homes and child care arrangements; what steps he is taking to ensure the input of charitable organisations, psychologists and those with experience of police involvement in tackling organised paedophile activity; and if he will make a statement. [35368]

Mr. Bowis: Sir William will be provided with a small secretariat and will have access to Departmental facilities. Sir William has agreed that the review should be accessible to a wide range of organisations and individuals who may wish to contribute their views. It will be for Sir William to determine how this is best achieved once the review is under way.

Mental Health

Mr. Milburn: To ask the Secretary of State for Health what proportion of the hospital budget has been spent on mental health services in each year since 1979. [35331]

Mr. Bowis: The information is shown in the table. The figures since 1988 reflect the shift from hospital to community mental health services. For example, the latter rose by 32 per cent. between 1988–89 and 1990–91 and by 40 per cent. between 1991–92 and 1994–95 for mental health nursing expenditure.

Year	*Percentage of hospital budget spent on mental health services*
1979–80	13.4
1980–81	13.6
1981–82	13.6
1982–83	13.6
1983–84	13.5
1984–85	13.6
1985–86	13.6
1986–87	13.6
1987–88	14.4
1988–89	14.4
1989–90	14.1
1990–91	13.7
1991–92	13.2
1992–93	13.0
1993–94	12.4
1994–95	12.0

1. The mental health expenditure figures used to calculate the percentages are made up of the following:

(a) In-patient and out-patient expenditure—the consultant specialties of mental health, child and adolescent psychiatry, forensic psychiatry, psychotherapy and old age psychiatry;

(b) day patient expenditure—in the categories mental health (alcoholism, drug abuse, psychogeriatrics and general), child and adolescent psychiatry and forensic psychiatry.

2. The hospital budget figures cover all in-patient, out-patient and day patient services and other services provided by hospitals. Community-based services are not included.

Non-NHS Staff

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 18 December 1995, *Official Report*, columns *934–35*, on non-NHS staff, what information his Department collates on the grades of staff concerned and the source of their employment. [35370]

Mr. Malone: None.

Paediatric Care

Mr. Milburn: To ask the Secretary of State for Health what proportion of children admitted to hospital have been cared for in a children's ward under the supervision of a consultant paediatrician in each quarter since April 1994 in each region. [35332]

Mr. Horam: These data are not available centrally. All children treated in a children's ward are under the supervision of a consultant paediatrician, but some children are treated in a suitable specialist or adult wards and are then under the supervision of an appropriate consultant.

Coronary Artery Bypass Grafts

Mr. Milburn: To ask the Secretary of State for Health how many patients diagnosed since April 1995 requiring coronary artery bypass grafts have not received them within one year. [35333]

Mr. Horam: This information is not available centrally.

Out-patient Appointments

Mr. Milburn: To ask the Secretary of State for Health (1) how many people have not received an out-patient appointment within 13 weeks in each district in each quarter since April 1995; and what proportion this constitutes of the total; [35334]

(2) how many people have not received an out-patient appointment within 26 weeks in each district in each quarter since April 1995. [35335]

Mr. Horam: A pilot collection has been established on a trust basis of the numbers of patients not yet seen within 13 and 26 weeks for a first out-patient appointment with a consultant following written general practitioner referral. Figures will be published once continuity and validity of the data have been established.

Local Authority Audits

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of Tuesday 25 June, *Official Report*, column *89*, if he will list the authorities which have yet to submit their audited returns for 1994–95; and when he expects the outstanding audited returns to be submitted. [35366]

Mr. Bowis: We have now received the audited returns for 1994–95 for all local authorities in England.

Hospital Admissions

Mr. Milburn: To ask the Secretary of State for Health how many people admitted to hospital through an accident and emergency department were not given a bed within three to four hours in each quarter from April 1995; and how many were not given a bed within two hours from April 1996 in each district. [35336]

Mr. Horam: This information is not available centrally.

District Nurses

Mr. Milburn: To ask the Secretary of State for Health how many patients have not been seen by a district nurse team member *(a)* within four hours as an urgent case, *(b)* within two working days as a non-urgent case and *(c)* by appointment on the day asked for after giving 48 hours' notice in each quarter since April 1994 in each district. [35338]

Mr. Horam: This information is not available centrally.

Elderly People (Abuse)

Mr. Milburn: To ask the Secretary of State for Health what recent assessment he has made of the levels of abuse of elderly people in different care environments. [35339]

Mr. Bowis: We are undertaking a number of activities to enable an assessment to be made of the nature and extent of elder abuse and to promote practical help for people who are subject to, or at risk of, abuse.

We helped to establish the organisation Action on Elder Abuse in 1993 and are funding its telephone helpline. We are also financing an independent evaluation of the helpline which will provide evidence of prevalence and types of abuse. Action on Elder Abuse produced a free guidance leaflet in 1995 on abuse in care homes.

The social services inspectorate has published practice guidelines on safeguarding older people who may be at risk of abuse in domestic settings and has funded the production of a research review, which is currently being distributed.

We also provide grant aid to Counsel and Care which has independently produced a fact sheet on older people at risk of abuse in care homes. Counsel and Care held a seminar in May 1995 with the intention of pooling ideas on policies, procedures and practice.

Management Consultancy Advertisements

Mr. Milburn: To ask the Secretary of State for Health if he will provide details of each management consultancy contract that has been advertised by NHS organisations in the supplement to the *Official Journal of the European Community* in each of the last five years. [35340]

Mr. Horam: There was no requirement on national health service or other United Kingdom public contracting authorities to advertise service contracts in the *Official Journal* prior to July 1993.

The following management consultancy contracts above the threshold value of £149,728 that were awarded by an NHS organisation in the calendar years 1994 and 1995 have been identified from *Official Journal* records:

Description	*Awarding body*	*Amount*	*Date*	*Supplier*
Marketing Agency for health services	Plymouth Hospitals NHS Trust	Up to £160,000	15 September 1995	Colin Geall
Business Advice	NHS Supplies	Not quoted	27 September 1995	Provex Consultancy Stourbridge
Project management	Royal Berkshire and Battle Hospitals	Not quoted	16 June 1995	Mouchel Management Ltd.

Description	Awarding body	Amount	Date	Supplier
Financial and fiscal services	NHS Supplies	Not quoted	21 August 1995	Beachcroft Stanleys Solicitors, and KPMG
Business services	Dental Practice Board for England and Wales	Not quoted	21 December 1994	Coopers and Lybrand

Special Transitional Grant

Mr. Milburn: To ask the Secretary of State for Health which authorities have been unable to spend 85 per cent. of their special transitional grant for 1993–94 in the independent sector. [35343]

Mr. Bowis: Barnsley, Bolton, Derbyshire, Durham, Ealing, Rochdale, Rotherham, Staffordshire and St. Helens.

EDUCATION AND EMPLOYMENT

UNESCO

Mr. MacShane: To ask the Secretary of State for Education and Employment (1) what representations she has received from educational institutions about the United Kingdom rejoining UNESCO; [34822]

(2) what disadvantages to educational institutions have been represented to her as resulting from Britain staying out of UNESCO. [34832]

Mr. Forth: None.

Ms Hodge: To ask the Secretary of State for Education and Employment (1) if she will make a statement on the transition to comprehensive status of the nine grammar schools in Norfolk between 1979 and 1982; [34769]

(2) what action was taken by Norfolk county council's education committee in response to the letter from the Department of Education after the general election in 1979 removing the compulsion on local education to reorganise their secondary schools along comprehensive lines; [34773]

(3) if she will make a statement on the merger of Paston school and North Walsham girls school to become a sixth form college; [34774]

(4) whether she will make a statement on the transition from grammar to comprehensive of *(a)* Diss grammar school in Norfolk, *(b)* Fakenham grammar school, *(c)* Wymondham college, *(d)* Oriel grammar school, *(e)* Great Yarmouth grammar school and *(f)* Gorleston grammar school, Gorleston. [34775]

Mrs. Gillan *[holding answer 1 July 1996]:* The changes referred to are a matter for the public record. The details of how they were implemented were the responsibility of Norfolk education authority. The decisions taken by that authority about the character of its secondary schools reflected the circumstances and policies of the time.

Ms Hodge: To ask the Secretary of State for Education and Employment whether she has consulted the education authority of Norfolk county council over the 1996 proposals for the creation of selective schools in Norfolk. [34770]

Mrs. Gillan *[holding answer 1 July 1996]:* The White Paper "Self-Government for Schools" has been sent to all local education authorities with any comments invited by 4 October. The Department discussed the broad issues to be covered in the White Paper in advance with the local authority associations and a range of other organisations, but not with any individual local authority.

Barred Teachers

Mr. Milburn: To ask the Secretary of State for Education and Employment, pursuant to her answer of 13 June, *Official Report*, column *287*, which schools cannot arrange checks against list 99 through their local education authority; and in what circumstances local education authorities have access to the Department of Health's consultancy index. [35249]

Mr. Robin Squire *[holding answer 1 July 1996]:* Schools that are maintained by a local education authority can make checks through their maintaining authority. Other schools are not entitled to this service, but can make checks through the Department.

The Department of Health's consultancy index is intended to provide checks on the suitability of people seeking appointments in the field of child care. It has not been used by local education authorities which rely on checks of list 99 and criminal background checks to help assess the suitability of candidates.

Mr. Milburn: To ask the Secretary of State for Education and Employment, pursuant to her answer of 25 June, *Official Report*, column *99*, if she will list the number of *(a)* adverse reports from employers made to the Department of Health's consultancy index for each year since 1979 and *(b)* notifications from the police for convictions for each year since 1979; and how many notifications to list 99 there have been for each year since 1979. [35250]

Mr. Squire *[holding answer 1 July 1996]:* The following table shows the number of reports about misconduct, or alleged misconduct, by teachers, and people whose work involves regular contact with children and young persons in education, that the Department has received in each year since 1 April 1979. Information about notifications to the Department of Health consultancy index is a matter for my right hon. Friend the Secretary of State for Health.

Year	Reports Received
1 April 1979–31 March 1980	435
1 April 1980–31 March 1981	422
1 April 1981–31 March 1982	340
1 April 1982–31 March 1983	360
1 April 1983–31 March 1984	338
1 April 1984–31 March 1985	325
1 April 1985–31 March 1986	348
1 April 1986–31 March 1987	320
1 April 1987–31 March 1988	350

Year	Reports Received
1 April 1988–31 March 1989	333
1 April 1989–31 March 1990	334
1 April 1990–31 March 1991	373
1 April 1991–31 March 1992	387
1 April 1992–31 March 1993	382
1 April 1993–31 March 1994	542
1 April 1994–31 March 1995	636
1 April 1995–31 March 1996	561

School Funding

Mr. Byers: To ask the Secretary of State for Education and Employment what is in each local education authority the average amount spent per *(a)* pupil, *(b)* primary pupil and *(c)* secondary pupil. [35448]

Mr. Robin Squire: The following table sets out, for each local education authority, net institutional expenditure per *(a)* pre-primary/primary and secondary pupil combined *(b)* pre-primary/primary pupil and *(c)* secondary pupil in LEA maintained schools in England for 1994–95, the latest for which figures are available.

£

Net Institutional Expenditure Per Pupil 1994–95	(a) Pre-Primary/ Primary and Secondary	(b) Pre-Primary and Primary	(c) Secondary
Corporation of London	3,635	3,635	0
Camden	2,376	2,057	2,790
Greenwich	2,331	2,028	2,772
Hackney	2,521	2,249	3,138
Hammersmith and Fulham	2,759	2,482	3,316
Islington	2,247	2,055	2,657
Kensington and Chelsea	2,672	2,397	3,327
Lambeth	2,750	2,573	3,782
Lewisham	2,304	2,097	2,677
Southwark	2,091	1,898	2,681
Tower Hamlets	2,664	2,393	3,194
Wandsworth	2,366	2,268	3,053
Westminster	2,613	2,440	2,825
Barking and Dagenham	2,069	1,891	2,353
Barnet	1,953	1,763	2,415
Bexley	1,792	1,536	2,232
Brent	1,752	1,718	2,033
Bromley	1,768	1,634	2,231
Croydon	1,835	1,725	2,165
Ealing	2,087	1,969	2,457
Enfield	1,969	1,761	2,359
Haringey	2,525	2,300	2,986
Harrow	2,205	2,043	2,598
Havering	2,019	1,715	2,570
Hillingdon	1,874	1,777	2,625
Hounslow	2,195	1,931	2,582
Kingston upon Thames	1,987	1,730	2,518
Merton	2,169	1,931	2,663
Newham	2,033	1,711	2,623
Redbridge	2,056	1,678	2,553
Richmond upon Thames	2,090	1,884	2,373
Sutton	2,045	1,860	2,514
Waltham Forest	1,989	1,792	2,395
Birmingham	1,925	1,721	2,356
Coventry	1,988	1,705	2,418
Dudley	1,781	1,575	2,205
Sandwell	1,876	1,666	2,244
Solihull	1,865	1,605	2,225
Walsall	1,877	1,664	2,314
Wolverhampton	1,894	1,648	2,341
Knowsley	1,783	1,575	2,227
Liverpool	1,988	1,634	2,603
St. Helens	1,820	1,521	2,247
Sefton	1,797	1,487	2,227
Wirral	1,846	1,567	2,294
Bolton	1,862	1,646	2,261
Bury	1,701	1,492	2,032
Manchester	1,841	1,538	2,435
Oldham	1,894	1,621	2,293
Rochdale	1,794	1,552	2,225
Salford	1,714	1,507	2,151
Stockport	1,792	1,566	2,152
Tameside	1,686	1,447	2,046
Trafford	1,743	1,477	2,319
Wigan	1,740	1,474	2,130
Barnsley	1,764	1,550	2,102
Doncaster	1,707	1,444	2,025
Rotherham	1,938	1,719	2,220
Sheffield	1,799	1,612	2,110
Bradford	1,869	1,681	2,041
Calderdale	1,775	1,651	2,104
Kirklees	1,864	1,607	2,256
Leeds	1,873	1,645	2,223
Wakefield	1,779	1,590	2,046
Gateshead	1,886	1,638	2,257
Newcastle upon Tyne	1,945	1,660	2,314
North Tyneside	1,877	1,636	2,145
South Tyneside	1,792	1,623	2,062
Sunderland	1,802	1,576	2,142
Isles of Scilly	3,356	2,471	4,484
Avon	1,898	1,613	2,336
Bedfordshire	1,930	1,674	2,231
Berkshire	1,869	1,630	2,238
Buckinghamshire	1,834	1,636	2,256
Cambridgeshire	1,734	1,540	2,160
Cheshire	1,796	1,529	2,176
Cleveland	1,758	1,505	2,172
Cornwall	1,865	1,615	2,202
Cumbria	1,714	1,541	2,034
Derbyshire	1,832	1,596	2,290
Devon	1,818	1,554	2,203
Dorset	1,743	1,510	2,061
Durham	1,905	1,757	2,122
East Sussex	1,964	1,692	2,359
Essex	1,864	1,734	2,321
Gloucestershire	1,416	1,274	1,937
Hampshire	1,825	1,645	2,177
Hereford and Worcester	1,841	1,643	2,063
Hertfordshire	1,918	1,717	2,264
Humberside	1,917	1,652	2,304
Isle of Wight	1,859	1,607	2,030
Kent	1,765	1,555	2,276
Lancashire	1,918	1,661	2,345
Leicestershire	1,890	1,612	2,274
Lincolnshire	1,846	1,588	2,384
Norfolk	1,862	1,600	2,342
North Yorkshire	1,838	1,577	2,180
Northamptonshire	1,894	1,618	2,263
Northumberland	1,773	1,528	1,944
Nottinghamshire	1,986	1,692	2,396
Oxfordshire	1,959	1,680	2,285
Shropshire	1,910	1,605	2,413
Somerset	1,857	1,660	2,113
Staffordshire	1,787	1,565	2,104
Suffolk	1,949	1,690	2,182
Surrey	1,906	1,744	2,234
Warwickshire	1,876	1,665	2,349
West Sussex	1,913	1,668	2,240
Wiltshire	1,735	1,548	2,125
England	1,890	1,661	2,270

School Meals

Mr. Byers: To ask the Secretary of State for Education and Employment what is for each local education authority the percentage of (i) the total number of pupils and (ii) the number of pupils taking school meals who receive a free meal. [35365]

Mrs. Gillan: The latest available information is in the following table:

Day pupils taking free school meals in maintained schools in each Local Education Authority area in England January 1995

	Day pupils taking free meals as a percentage of: all day pupils	pupils taking a meal
Corporation of London	47	62
Camden	28	50
Greenwich	30	60
Hackney	45	66
Hammersmith and Fulham	35	52
Islington	39	63
Kensington and Chelsea	34	51
Lambeth	39	58
Lewisham	31	54
Southwark	39	61
Tower Hamlets	47	77
Wandsworth	30	48
Westminster	37	58
Barking and Dagenham	19	44
Barnet	14	26
Bexley	12	35
Brent	24	53
Bromley	13	30
Croydon	20	41
Ealing	23	48
Enfield	16	41
Haringey	33	57
Harrow	10	34
Havering	11	25
Hillingdon	11	37
Hounslow	19	39
Kingston upon Thames	7	37
Merton	16	43
Newham	29	65
Redbridge	14	29
Richmond upon Thames	11	30
Sutton	10	23
Waltham Forest	27	50
Birmingham	30	54
Coventry	20	63
Dudley	15	36
Sandwell	20	53
Solihull	13	26
Walsall	20	42
Wolverhampton	21	49
Knowsley	36	70
Liverpool	32	59
St. Helens	18	37
Sefton	18	43
Wirral	23	45
Bolton	17	31
Bury	14	28
Manchester	39	65
Oldham	22	39
Rochdale	24	43
Salford	28	52
Stockport	14	29
Tameside	19	37
Trafford	16	38
Wigan	16	38
Barnsley	20	40
Doncaster	21	35
Rotheram	17	45
Sheffield	20	46
Bradford	23	44
Calderdale	17	33
Kirklees	17	35
Leeds	16	39
Wakefield	15	40
Gateshead	20	46
Newcastle upon Tyne	28	52
North Tyneside	18	35
South Tyneside	27	45
Sunderland	21	48
Isles of Scilly	19	43
Avon	15	39
Bedfordshire	16	31
Berkshire	10	28
Buckinghamshire	7	40
Cambridge	12	32
Cheshire	13	29
Cleveland	24	48
Cornwall	15	34
Cumbria	12	25
Derbyshire	14	25
Devon	15	33
Dorset	8	39
Durham	18	36
East Sussex	16	39
Essex	13	33
Gloucestershire	11	35
Hampshire	12	34
Hereford and Worcester	9	34
Hertfordshire	10	23
Humberside	16	30
Isle of Wight	18	44
Kent	14	36
Lancashire	18	38
Leicestershire	13	31
Lincolnshire	7	32
Norfolk	12	33
North Yorkshire	9	19
Northamptonshire	10	43
Northumberland	13	25
Nottinghamshire	18	42
Oxfordshire	9	29
Shropshire	14	25
Somerset	10	37
Staffordshire	14	30
Suffolk	11	30
Surrey	9	18
Warwickshire	10	25
West Sussex	10	29
Wiltshire	11	30
England	17	38

TRADE AND INDUSTRY

Nuclear Power Stations

Mr. Wilson: To ask the President of the Board of Trade if he will make a statement on the damage to fuel pins at Hunterston B nuclear power station with particular reference to the causes, cost, anticipated period of repair and implications for each nuclear power stations. [35231]

Mr. Eggar: Currently available details are contained in the British Energy prospectus that was issued on 26 June and appear under the heading "fuel brace fretting" on page 66.

Animal Welfare

Mr. Morley: To ask the President of the Board of Trade (1) if he will list the animal welfare issues for which his Department has responsibility; [34290]

(2) if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34292]

Mr. Lang *[holding answer 25 June 1996]:* My Department has no direct responsibility for animal welfare issues. However, this is one of the many factors that are taken into account when Ministers and officials consider aspects of the Department's policies in the normal course of their duties.

Torture Equipment

Mr. Madden: To ask the President of the Board of Trade how many licences for the export of equipment assessed by his Department as capable of being used for torture are currently under review by his Department. [35209]

Mr. Oppenheim *[holding answer 1 July 1996]:* The Export of Goods (Control) Order 1994 does not cover a category of goods "capable of being used for torture". There is a vast range of otherwise innocuous goods that could be so misused. The most likely categories of controlled goods to include those that might be used for torture are PL5001a and PL5001d of group 1 of part III of schedule 1 to the order. No export licence applications in respect of any such goods are currently under review.

Action Single Market

Mr. Steen: To ask the President of the Board of Trade, pursuant to his answer of 30 April, *Official Report,* column *471,* if he will list *(a)* the United Kingdom businesses action single market has helped, *(b)* the single market trade barriers he has helped them to overcome and *(c)* the number and location of the wider network of staff who work in British embassies overseas assessing and pursuing complaints. [35033]

Mr. Oppenheim *[holding answer 1 July 1996]:* Action single market has helped UK businesses overcome a wide range of problems. These include: homologation (type approval) procedures in Spain; Dutch insistence on retesting of electric fencing; Irish regulations on the labelling of canned fruit; delays in securing German type approval for road cones; Spanish regulations on sizes of cider bottles; a Belgian refusal to accept a British fire certificate for carpets; Greek rules on the fruit juice content of soft drinks; Belgian customs officials asking for inappropriate documentation; Italian failure to implement an EU directive concerned with paints; a Danish levy on imported goods; and Greek restrictions on electronic cash registers.

Company details are passed to action single market on a commercially confidential basis, and cannot be divulged unless specific permission has been given. Some companies that action single market has helped have given permission for their details to appear in recent Government publications. These include H P Bulmer Ltd. Swintex Ltd. Del Monte Foods International Ltd. and Rutland Electric Fencing Co. Ltd.

Action single market has contacts who assist in assessing and pursuing complaints, in British embassies covering all the other member states of the EU and the rest of the European Economic Area and in some of the consulates-general in those countries.

TREASURY

Inheritance Tax

Mr. Alton: To ask the Chancellor of the Exchequer how many individuals saved inheritance tax as a result of the conditionally exempt works of art list in *(a)* 1995, *(b)* 1980 and *(c)* the list's first year of existence. [34219]

Mr. Jack: The number of estates granted conditional exemption from inheritance tax or capital transfer tax in respect of works of art and chattels that can be viewed by appointment was 31 in 1995 and eight in 1982, the earliest year for which figures were available.

Private Finance Initiative (Higher Education)

Mr. Forman: To ask the Chancellor of the Exchequer what action he is taking in response to the conclusions of the joint Treasury and Department for Education and Employment study group examining the scope for the private finance initiative in higher education. [34354]

Mr. Jack: The higher education sector has a long and impressive history of entrepreneurial activity, with universities already having raised some £1.5 billion from commercial sources. There remains, however, considerable untapped potential for private finance initiative schemes.

The group to which my hon. Friend refers is one of two joint working groups with the Committee of Vice-Chancellors and Principals and the Standing Committee of Principals. It was set up in February at their request by my right hon. Friend the Secretary of State for Education and Employment. Treasury officials attended the groups as observers. Like every year, and like other representations on public expenditure, the groups' reports will be taken into account in the review of the Government's expenditure plans in the 1996 public expenditure survey along with other relevant considerations.

Welsh Development Agency

Mr. Wigley: To ask the Chancellor of the Exchequer if he will make a statement on the role of his Department in relation to the powers of the Welsh Development Agency in securing inward investment. [34942]

Mr. Waldegrave: The powers of the Welsh Development Agency are set out in the Welsh Development Agency Act 1975.

Guidelines to the agency in relation to its inward investment activities are issued by my right hon. Friend the Secretary of State for Wales. The Treasury approves the guidelines and a copy of the current version, issued in March 1995, can be found in the Libraries of the House.

Dothiepin

Mr. Flynn: To ask the Chancellor of the Exchequer in how many deaths in each of the past five years dothiepin was mentioned as *(a)* the only drug involved and *(b)* one of the drugs involved. [34673]

Mrs. Angela Knight: The numbers of deaths registered in 1991 and 1992 in England and Wales in which dothiepin was mentioned as *(a)* the only drug involved and *(b)* one of the drugs involved are published in table 10 of "Mortality Statistics: injury and poisoning, England and Wales", series DH4, Nos. 17 and 18, respectively. Copies of these may be accessed by the House of Commons Library. The table shows how many of the deaths mentioned alcohol.

The figures for 1993 to 1995, which relate to deaths occurring in 1993 and 1994, and deaths registered in 1995, are shown in the table:

Deaths by poisoning with a mention of dothiepin, England and Wales, 1993–95

	1993	*1994*	*1995*
Deaths by poisoning—accident	44 (15)	38 (9)	23 (6)
—dothiepin only	31 (8)	31 (8)	17 (5)
—dothiepin with other drugs	13 (7)	7 (1)	6 (1)
Deaths by poisoning—suicide	94 (9)	132 (12)	126 (8)
—dothiepin only	68 (7)	103 (7)	99 (5)
—dothiepin with other drugs	26 (2)	29 (5)	27 (3)
Deaths by poisoning—undetermined	64 (7)	84 (15)	88 (20)
—dothiepin only	54 (4)	64 (9)	70 (14)
—dothiepin with other drugs	10 (3)	20 (6)	18 (6)

The figures in brackets show the number of deaths involving dothiepin with a mention of alcohol. These figures are already included in the unbracketed totals and should not be added to them.

Income Tax

Mr. Wigley: To ask the Chancellor of the Exchequer if he will estimate the value in constant 1996 prices of an increase of 1p in income tax from *(a)* each of the 22 unitary authorities in Wales, *(b)* Wales and *(c)* the UK in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98. [34073]

Mr. Jack: Available information was given in my reply to the hon. Member for Gordon (Mr. Bruce) on 27 March 1996, *Official Report*, column *609*.

Millennium (Date Change)

Mr. Mike O'Brien: To ask the Chancellor of the Exchequer what estimate he has made of the total cost of the millennium date change to *(a)* the public sector and *(b)* the private sector; what provision he has made in the projections for the public finances for this change; and if he will make a statement. [33883]

Mr. Waldegrave *[holding answer 21 June 1996]:* The Minister for Science and Technology set out the latest position on 6 June 1996 at columns 816–20. Departments are assessing the extent to which their systems are affected and are preparing plans to effect any necessary action. The Government have not estimated the total cost to the public sector, which will be met within existing plans. Ministers with industry sponsorship responsibilities are taking steps to ensure that the sectors in which they have an interest are fully aware of the problem and are taking appropriate measures.

HOME DEPARTMENT

Crisis Support

Mr. Cann: To ask the Secretary of State for the Home Department what advice has been issued since March to agencies engaged in crisis support work following homicides and other serious offences with regard to the approach to be adopted. [34602]

Mr. Maclean: On 18 June, we published a new victims charter. This tells victims of crime what happens after the offence has been reported and the standards of service they can expect to receive. The charter recognises the special position of families bereaved by homicide and victims of other serious offences by setting out, where appropriate, the additional support they can expect from the relevant criminal justice services.

Domestic Violence

Mr. Callaghan: To ask the Secretary of State for the Home Department what proportion of violent offences against the person consist of incidents of domestic violence. [35050]

Mr. Maclean: Overall, 31 per cent. of incidents of violence in 1993 were classified as domestic violence by the 1994 British crime survey. The proportion for female victims of violence was 52 per cent. and for male victims, 15 per cent. Domestic incidents included those committed by a current or ex-partner, relative or other household member. The BCS definition of violence is broader than the definition of violence against the person which is used in the recorded crime series, in that it includes common assault.

Violent and Sexual Attacks

Mr. Callaghan: To ask the Secretary of State for the Home Department what further steps he plans to take to curb crimes of violence and sexual attacks. [35055]

Mr. Maclean: On 17 June my right hon. and learned Friend announced proposals, in a consultation paper on the supervision and sentencing of sex offenders, which are designed to improve protection from such offenders and to enhance opportunities for their treatment. In addition, the recently published White Paper, "Protecting the Public", makes new proposals on sentencing which seek to ensure that the public receive proper protection from persistent violent or sex offenders.

My right hon. and learned Friend has, further, established as one of the key national objectives for the police in 1996–97 a target to maintain, and where possible increase, the number of detections for violent crime.

Interdepartmental groups of Ministers and of officials are also due to meet shortly to review and develop initiatives aimed at promoting more co-ordinated national and local responses to the problems associated with domestic violence.

Immigration

Mr. Gerrard: To ask the Secretary of State for the Home Department what is the legal basis for the distinctions made between people who were granted exceptional leave to remain in the United Kingdom before and after 26 July 1994 when they apply for travel documents. [34941]

Mr. Kirkhope: The policy on access to travel documents for asylum seekers granted exceptional leave to remain in the United Kingdom was introduced on 1 January 1994 and announced on 16 December 1993, *Official Report*, column 787.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department how many people who had applied at some time for asylum were *(a)* detained in and *(b)* deported from Doncaster prison in each month since January 1996; what were their nationalities; and to what country they were deported. [34983]

Mr. Kirkhope: The information available is in the table. The nationalities involved were Jamaican, Indian and Turkish.

Number of asylum detainees[1] recorded at HMP Doncaster as at 31 January, 29 February, 29 March, 30 April, 31 May

Date detained	*Number of asylum-seekers detained*	*Number of asylum-seekers deported in preceding month*
31 January	2	0
29 February	2	0
29 March	1	0
30 April	2	0
31 May	3	0

[1] Persons detained solely under the powers contained in schedules 2 or 3 to the Immigration Act 1971. In some cases the asylum application will have been lodged subsequent to the applicant being detained. The figures include both detained asylum applicants who applied at ports and those detained in after-entry enforcement work and include those awaiting removal following refusal of asylum, as well as those whose applications were under consideration or subject to appeal.

Litter

Mr. Callaghan: To ask the Secretary of State for the Home Department (1) in what proportion of the cases brought under the Litter Act 1983, during the most recent year for which statistics are available, the prosecution was successful; [35049]

(2) what was the average fine imposed under the Litter Act 1983 during the most recent year for which statistics are available. [35048]

Mr. Maclean: Under section 87 of the Environmental Protection Act 1990 which repealed section 1(3) of the Litter Act 1983 there were in 1994—latest available figures—1,164 prosecutions in England and Wales for the offence of depositing litter. Of these, 82 per cent.—952—were found guilty. The average fine for the offence was £90.

Beat Officers (Greater Manchester)

Mr. Callaghan: To ask the Secretary of State for the Home Department how many police officers are employed on the beat at any one time, per head of the population *(a)* nationally and *(b)* in the Greater Manchester area. [35053]

Mr. Maclean: This information is not centrally collected. The latest available information shows that, at the end of March 1995, 68,240 officers were deployed to patrol duties in England and Wales including 3,552 officers in the Greater Manchester police area.

Asylum Applications

Mr. Callaghan: To ask the Secretary of State for the Home Department how many asylum applications are currently waiting to be heard. [35052]

Mr. Kirkhope: The number of asylum applications awaiting an initial decision as at 31 May was 66,400.

EU Civil Protection Council

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the Civil Protection Council held on 23 May. [35495]

Mr. Howard: Mr. David Bostock, the deputy permanent representative to the European Union, represented the United Kingdom at the Council in Brussels. In accordance with the policy outlined in the Prime Minister's statement on 21 May, he was unable to agree to any decisions requiring unanimity in the Council other than those which were purely formal or procedural.

Three agenda items were blocked and a statement made on the Government's policy of non-co-operation in the European Union. The three matters dealt with at the Council were as follows:

The Council discussed a compromise proposal for a decision establishing a community action programme in the field of civil protection, designed to support and supplement member states' own work in the area of civil protection. The presidency expressed the hope that this question would be further dealt with in the months ahead with a view to reaching agreement.

The Council considered a draft resolution on strengthening Community co-operation in the field of civil protection research. The presidency took note of the Commission's intention to consider the need for research in this area.

The Council also discussed a draft resolution on co-operation with the associated central and eastern European countries and Cyprus and Malta on civil protection, in preparation for their accession.

The Government do not accept that civil protection is an appropriate field for Community action. The Government take the view that in this particular field member states have, and must continue to have, primary responsibility for taking action. The Government will therefore be arguing at the intergovernmental conference that article 3(t) should be removed from the treaty, at least

where civil protection is concerned, and any future European Union level co-operation should be pursued on an intergovernmental basis.

At the Civil Protection Council on 23 May, the Government reiterated that position while explaining why we could not agree to the proposed Council resolutions and Council decision on civil protection.

It follows that the Government do not consider that it would be useful for the Commission to being forward proposals for research in this field. The Government do accept that, in preparation for the eventual accession of the associated central and eastern European countries, efforts should be made to forge appropriate links in the field of civil protection. However, it sees no reason why the Community should be invited to take the lead.

Rape

Mr. Bill Michie: To ask the Secretary of State for the Home Department in how many cases of rape persons charged by the police have not had their cases proceeded with by the Crown Prosecution Service. [34939]

The Attorney-General: I have been asked to reply.

The Crown Prosecution Service holds no central records in respect of specific offences. The information is held on individual case files, and could be obtained only at disproportionate cost.

Home Office records include details of court proceedings in respect of specific offences. This information shows that the total number of persons proceeded against for rape in 1994 was 1,625. Of this total, 297 proceedings were recorded as "terminated early". However, the definition of this outcome is much wider than proceedings discontinued by the CPS, and includes proceedings where a bench warrant for the arrest of the defendant remained unexecuted; where the defendant could not be traced by the police; and where proceedings were adjourned indefinitely.

The present discontinuance rate for all CPS cases is 12 per cent.

DEFENCE

Trident

Mr. Gordon Prentice: To ask the Secretary of State for Defence what sums have been *(a)* spent on and *(b)* committed to the Trident programme to date. [35002]

Mr. Arbuthnot: As at the end of January this year—the latest date for which aggregated figures are available—a total of £8.3 billion net at outturn prices had been spent on the Trident acquisition programme, from a commitment of £9 billion.

Market Testing

Mr. Redmond: To ask the Secretary of State for Defence what plans he has for market testing of *(a)* the Army Base Storage and Distribution Agency, *(b)* the Naval Repair Organisation and *(c)* the Queen Victoria School; and if he will make a statement. [34981]

Mr. Soames: Chief executives of all defence agencies are required as part of their business planning to seek efficiencies and to explore the scope for greater private sector involvement through competition. They are able to draw upon a range of efficiency-related measures, including market testing their activities by enabling commercial bidders to compete with the existing in-house suppliers. There are currently no plans for market testing in the three defence agencies in question, although other efficiency measures involving the private sector have been taken or are under consideration.

Mr. Gordon Foxley

Mr. Spellar: To ask the Secretary of State for Defence, pursuant to his answer of 25 June, *Official Report*, column *63*, when the time required by the statutory demand on Mr. Gordon Foxley will expire. [35064]

Mr. Arbuthnot: The statutory demand was served effectively on Mr. Gordon Foxley on 19 June. He has 18 calendar days in which to seek to have it set aside or to make an arrangement with regard to payment, or 21 calendar days in which to pay in full. These time limits expire at midnight 8 and 10 July respectively.

Atomic Weapons Establishment, Foulness

Mr. Gordon Prentice: To ask the Secretary of State for Defence what factors led to the removal of the atomic weapons establishment, Foulness from the list of bodies given trading status by the Defence Evaluation and Research Agency Trading Fund Order 1995. [34862]

Mr. Arbuthnot: The atomic weapons establishment, Foulness is not part of the Defence Evaluation and Research Agency. It forms part of the Atomic Weapons Establishment, whose headquarters are at Aldermaston, Berkshire, and which is managed by Hunting BRAE plc on behalf of my Department. Rationalisation plans, announced in January 1995, are for AWE to withdraw from Foulness and for the site to be transferred to the DERA during 1997.

The inclusion of Foulness in the list of bodies to which the operation of the Defence Research Agency trading fund was extended by the Defence Evaluation and Research Agency Trading Fund Order 1995 was premature. Subsequent legal advice was that for as long as the site remains managed by Hunting BRAE plc it is not legally possible for it to be included in the order. It was therefore necessary to lay before the House an amendment order, SI 1447 1996.

RAF Maintenance Group Defence Agency

Mr. Legg: To ask the Secretary of State for Defence if he will make a statement about the key performance indicators for the RAF Maintenance Group Defence Agency for the financial year 1996–97. [35575]

Mr. Soames: The RAF Maintenance Group Defence Agency's key performance indicators for 1996–97 are: to achieve at least 98 per cent. of the specified aerosystems maintenance task to standard and on time; to achieve the "Joint Service Publication 336 Defence Supply Manual" speed of issue and pipeline targets for at least 95 per cent. of the depot supply task; to keep within the group's allocated budget; to reduce the cost per unit of output by 3 per cent.; to pursue the competing for quality initiative

by achieving contract award for the designated functions at RAF Sealand by December 1996 and by issuing the invitation to tender at RAF St. Athan by 31 August 1996; to continue the comprehensive rationalisation of functions within the agency by achieving the closure of RAF Carlisle by 31 March 1997 and by achieving the closure of RAF Quedgeley by 31 March 1997; to apply for investors in people status for the agency by September 1996; and to continue the third party certification of units within the agency to the ISO 9000 standard by achieving certification of RAF Cardington by June 1996 and by achieving certification of the ground radio servicing centre, RAF North Luffenham, by December 1996.

Married Quarters Estate

Mr. Colvin: To ask the Secretary of State for Defence if he will list *(a)* the number of service married quarters, *(b)* the number vacant, *(c)* the number sold and *(d)* the receipts from sales for each year since 1990. [35230]

Mr. Arbuthnot: Figures for *(a)* the number of families quarters, *(b)* the number vacant, *(c)* the number sold and *(d)* the receipts from sales are as follows. It should be noted that the figures for *(a)* and *(b)* are as at 31 March in each financial year.

Financial year	*(a)*	*(b)*	*(c)*	*(d)* *£ million*
1989–90	77,470	14,220	1,380	46
1990–91	75,263	11,912	2,121	44
1991–92	74,176	11,247	1,306	51
1992–93	73,614	11,027	857	33
1993–94	72,631	11,401	1,254	24
1994–95	73,719	13,178	1,102	[1]n/a
1995–96	73,539	14,351	1,344	[1]n/a

[1] Due to a change in accountancy procedures, figures for receipts from sales of surplus quarters are no longer held centrally and cannot be provided for 1994–95 and 1995–96 without disproportionate cost.

Receipts do not always relate directly to the number of houses sold in a particular year because of stage payments and accountancy procedures.

Bosnia-Herzegovina

Sir Peter Emery: To ask the Secretary of State for Defence whether he will set out the Government's policy for British troops in Bosnia-Herzegovina after the elections are held under the Dayton accord. [35234]

Mr. Soames: The United Kingdom will continue to make a substantial contribution to the implementation force until the expiry of its mandate at the end of the year.

DUCHY OF LANCASTER

Ombudsman (Child Support)

Mr. Frank Field: To ask the Deputy Prime Minister what plans he has to *(a)* establish a second ombudsman and *(b)* give additional resources to the present department to facilitate dealing with Child Support Agency cases. [35329]

Mr. Freeman: There are no plans to establish a second ombudsman department to deal with Child Support Agency cases. The present office of the parliamentary ombudsman has already received increased funding for additional staff to cope with the widening of his jurisdiction and the growth in the number of cases, many of which are against the CSA.

Legislative Print Runs

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster who is responsible for determining the print run of new legislation and the reprint runs of extant legislation. [34863]

Mr. Freeman: Responsibility rests with HMSO under its chief executive, Mike Lynn.

Mr. Prentice: To ask the Chancellor of the Duchy of Lancaster if all extant legislation is currently available in print from Her Majesty's Stationery Office. [34864]

Mr. Freeman: Responsibility for the subject of the question has been delegated to HMSO under its chief executive, Mike Lynn. I have asked him to arrange for a reply to be given.

Letter from Mike Lynn to Mr. Gordon Prentice, dated 1 July 1996:

I have been asked by the Chancellor of the Duchy of Lancaster to reply to your Parliamentary Question (no. 109) about availability of legislation.

Our general aim is to keep printed copies of Acts of Parliament available for at least five years, or longer where there is continuing demand. Several Acts from the early years of this century are still regularly reprinted. When printed copies are no longer available, arrangements can be made with the British Library to supply photocopies at a reasonable charge. We are also developing facilities to print "on demand" facsimile copies of Acts, and hope to have this service operating later this year.

We can also supply the Statutes in Force edition of extant Acts, which is of course confined to those sections of the Act which are still in force. However, Local and Personal Acts are not included.

The position on secondary legislation is similar. Statutory Instruments are reprinted whilst in regular demand, and when printed copies cease to be available we offer customers the British Library photocopying service. There is no Statutes in Force equivalent for secondary legislation.

If your question has been prompted by difficulties experienced by yourself or a constituent in obtaining a particular piece of legislation, please let me have the details and I shall be happy to arrange supply.

Legal Aid

Sir Ivan Lawrence: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor intends to publish his conclusions on the reform of the legal aid system in England and Wales. [35650]

Mr. Streeter: The Lord Chancellor has today published a White Paper, "Striking the Balance", which sets out the Government's policy for the reform of legal aid in England and Wales. Copies of the White Paper are available in the Vote Office.

ENVIRONMENT

Contracts

5. **Mr. Pickles:** To ask the Secretary of State for the Environment what plans he has to ensure fair competition between direct service organisations and the private sector in the tendering of contracts for local authority services. [33936]

Sir Paul Beresford: We propose to amend the framework for white collar compulsory competitive tendering and to take vigorous enforcement action when our new guidance is breached.

15. **Mr. Congdon:** To ask the Secretary of State for the Environment if he will make a statement on his plans to ensure fair competition between direct service organisations and the private sector in the tendering of contracts for local authority services. [33948]

Sir Paul Beresford: We propose to amend the framework for the white collar CCT and to take vigorous enforcement action when our new guidance is breached.

Forestry

14. **Mr. Olner:** To ask the Secretary of State for the Environment what recent representations he has received regarding environmental measures in respect of forestry. [33947]

Mr. Clappison: This Department receives many representations on the environmental aspects of forestry.

Area Cost Adjustment

16. **Mr. Barry Field:** To ask the Secretary of State for the Environment if he will make a statement on the progress of his review of the area cost adjustment. [33949]

Mr. Curry: The work of the independent review team on the area cost adjustment has invited comments from local government on a draft report. It expects to present the final report next week.

Housing Transfers

17. **Mr. Whittingdale:** To ask the Secretary of State for the Environment how many large-scale voluntary transfers of housing stock have been completed; and if he will make a statement. [33950]

Mr. Clappison: Fifty-one local authorities have transferred over 223,000 dwellings, generating over £3.6 billion in private finance. The 1996–97 disposals programme includes a further six authorities and 25,000 dwellings.

Additionally, we are encouraging transfers in urban areas through the estates renewal challenge fund. We recently announced that 11 authorities will receive a total of £174 million to improve 19,000 homes on 29 of the most run-down and needy estates through transfers over the next three years. This will bring in a further £250 million in private investment.

Water Pre-payment Devices

18. **Ms Lynne:** To ask the Secretary of State for the Environment what monitoring his Department is conducting into the effects of the installation of water key pre-payment devices. [33951]

Mr. Robert B. Jones: This is a matter for the Director General of Water Services.

Local Authorities (Misconduct Reports)

19. **Mr. Morgan:** To ask the Secretary of State for the Environment if he will make a statement on progress made in discussions with local authority association and insurance companies regarding the publication of reports commissioned by local authorities into allegations of serious misconduct by them. [33952]

Sir Paul Beresford: My officials have had preliminary discussions with local authority associations and their discussions continue. We understand that the associations are writing to their member authorities to draw attention to the associations' code of practice on ad hoc inquiries in local government, published in August 1980, and that, in the context of their discussions with my officials and with the Association of British Insurers, they intend to review the principles contained in the code.

Pollution (Mines)

20. **Mr. Jack Thompson:** To ask the Secretary of State for the Environment what progress is being made in dealing with water pollution from old mine workings. [33953]

Mr. Robert B. Jones: Considerable progress has been made, and work to prevent pollution is under way at several sites. In addition, the Environment Agency and Coal Authority have identified a shortlist of abandoned coal mines which are causing deterioration in river water quality. Work is currently in progress to investigate feasible solutions.

Design Standards

21. **Sir Sydney Chapman:** To ask the Secretary of State for the Environment what plans he has to encourage higher standards of design in town and country development. [33955]

Mr. Robert B. Jones: I take this opportunity to encourage higher standards of design and we are considering what further national guidance might be useful. We have already launched the "quality in town and country" initiative and we recently set up a national urban design campaign, which will be the subject of a major exhibition in October.

Public Interest Notices

22. **Mr. Trickett:** To ask the Secretary of State for the Environment what recent discussions he has had with the Audit Commission about the issuing of public interest notices. [33956]

Mr. Curry: My right hon. Friend the Secretary of State meets the chairman of the Audit Commission from time to time to discuss a range of issues affecting local authority audit. However, the conduct of auditors' work is a matter for auditors and the Audit Commission, which

appoints them. Auditors are obliged to follow procedures laid down in statute and amplified in the Audit Commission's code of audit practice.

District Auditors

23. **Mr. Bill Michie:** To ask the Secretary of State for the Environment what recent discussions he has had with the controller of the Audit Commission concerning the work of district auditors. [33957]

Mr. Curry: None. The conduct of auditors' work is a matter for auditors and the Audit Commission, which appoints them. Auditors are obliged to follow procedures laid down in statute and amplified in the Audit Commission's code of audit practice.

24. **Mr. Martyn Jones:** To ask the Secretary of State for the Environment what discussions he has had with local authority associations about the response of authorities to district auditors' reports. [33958]

Mr. Curry: None. An authority's response to an appointed auditor's public interest report is a matter for the authority, their auditor and the Audit Commission, which appoints auditors.

South Pennines Moorlands

25. **Mr. Chris Davies:** To ask the Secretary of State for the Environment what measures his Department is taking to protect and encourage biodiversity on the south Pennines moorlands. [33959]

Mr. Clappison: On 29 March 1996 I announced the classification of the Peak district moors—phase 1 of south Pennine moors—as a special protection area under EC directive 79/409/EEC on the conservation of wild birds. Officials are currently considering the results of consultations with other Government Departments, and owners and occupiers on the classification of phase 2 of the south Pennines moors as a special protection area.

Regional Government

26. **Mr. Riddick:** To ask the Secretary of State for the Environment what representations he has received urging that the Government introduce a tier of regional government above the existing framework of local government. [33960]

Mr. Curry: My right hon. Friend receives representations from time to time. The Government see no case for setting up new bodies to provide regional government, which would simply add an unwanted and unnecessary additional tier of bureaucracy and cost to existing arrangements.

English Partnerships

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the value for money criteria set by English Partnerships in considering applications for assistance; and what variation there is by region. [34420]

Sir Paul Beresford: English Partnerships investment guide, published in November 1994, specifies that all projects that the agency supports must offer good value for money in terms of the forecast outputs attributable to its investment. The guide details the five key outputs and sets out the appraisal criteria that the agency adopts and the priority areas in which it operates. The community investment guide provides similar information for the community investment fund. These publications ensure a consistent basis for approval throughout English Partnerships regions, within which each can express its own strategic priorities. Copies of the investment guide were placed in the Library on 24 November 1994.

Mr. Vaz: To ask the Secretary of State for the Environment if he will provide a breakdown of expenditure by region by English Partnerships in the financial year 1995–96. [34391]

Sir Paul Beresford: English Partnerships expenditure by region on its development programme in 1995–96, the agency's second full financial year of operation, is set out in the table.

Region	*Expenditure £ million*
North East	34.3
North West	52.0
Yorkshire and Humberside	55.0
Midlands	58.0
South East	25.6
South West	11.8
Total	236.7

Mr. Vaz: To ask the Secretary of State for the Environment how many jobs have been *(a)* created and *(b)* retained by region as a result of English Partnerships investment in projects during 1995–96. [34418]

Sir Paul Beresford: The agency's employment outputs do not currently distinguish on a comprehensive basis between jobs created and retained. This will be possible when the agency's new information technology project is fully implemented. The number of jobs which will be created or retained by region as a result of projects approved by English Partnerships in 1995–96 is set out in the table.

Region	*Total jobs expected to be created/retained*
North East	4,300
North West	6,500
Yorkshire and Humberside	8,000
Midlands	3,300
South East	1,600
South West	300
Total	24,000

These figures relate only to the direct employment outputs of English Partnerships investment arising on the sites themselves. The agency's development projects also have significant indirect employment benefits on wider local economies.

Mr. Vaz: To ask the Secretary of State for the Environment (1) if he will provide a list of the projects over £1 million development cost by region for schemes that received funding from English Partnerships in 1995–96; [34393]

(2) if he will list the new projects by region over £1 million begun by English Partnerships since its formation, excluding projects inherited from *(a)* English Estates, *(b)* city grant, *(c)* urban development grant and *(d)* other programmes subsumed by English Partnerships. [34419]

Sir Paul Beresford: English Partnerships has approved 218 projects, each costing over £1 million, since its formation in November 1993. Of these, 123 were approved in 1995–96. I have asked English Partnerships to write to the hon. Member with a list of these projects, by region. A copy of the letter will be placed in the Library of the House.

Mr. Vaz: To ask the Secretary of State for the Environment if he will provide a breakdown of funding by English Partnerships, to *(a)* private sector, *(b)* local authority, *(c)* community, *(d)* voluntary sector, *(e)* non-departmental public bodies and *(f)* others in the financial year 1995–96. [34392]

Sir Paul Beresford: English Partnerships records project information by programme. The partnership investment programme invests in strategic projects which draw together a wide range of partners, primarily the private sector and local authorities, and the land reclamation programme supports local authority reclamation projects. The community investment fund supports smaller projects, undertaken by the voluntary sector and community groups, which achieve community benefits. Most of the agency's partnership investment projects also have community benefits. In addition, the agency undertakes development on its own account through a direct development programme where the needs is great, no suitable partner exists, and where such action—land assembly—will facilitate further private sector development. The table gives a breakdown of expenditure by these categories in 1995–96:

	Spend 1995–96 £ (million)
Partnership Investment Programme	117.4
Land Reclamation Programme	84.4
Community Investment Fund	0.1
Voluntary Sector	1.0
Direct Development	33.8
Total	236.7

Mr. Vaz: To ask the Secretary of State for the Environment how many successful challenge fund bids English Partnerships is a partner in; if he will name them; and what are the amounts of money committed. [34351]

Sir Paul Beresford: English Partnerships is a potential partner in delivering 106 of the successful challenge fund bids. Many of these projects have not yet reached the stage where financial resources can be committed and are currently under appraisal by the agency. I have asked English Partnerships to write to the hon. Member with a list of all these projects, by region. A copy of the letter will be placed in the Library of the House.

Community Investment Fund

Mr. Vaz: To ask the Secretary of State for the Environment which projects the community investment fund *(a)* has invested in and *(b)* made grants to in the financial year 1995–96 and how much by region; if he will name the projects; and what amount of money has been committed. [34352]

Sir Paul Beresford: English Partnerships has approved a total investment of £919,000 for community investment fund projects since the launch of the fund in June 1995. Payments to the value of £80,000 were made during 1995–96. The agency has set aside £3 million a year for the future operation of the fund. The community investment fund covers only those projects undertaken by voluntary and community groups which require an English Partnerships investment of less than £100,000. Most of the agency's partnership investment projects also have community benefits. In addition, the agency supports the groundwork foundation and groundwork trusts in developing community-based initiatives for the clearance and remediation of small sites. I have asked English Partnerships to write to the hon. Member with a list of all these projects, by region. A copy of the letter will be placed in the Library of the House.

European Regional Development Grants

Mr. Gordon Prentice: To ask the Secretary of State for the Environment how many applications have been made for the period 1994 to 1999 for European objective 5b funding; and how many applications in each of the 5b areas have received funding. [34742]

Sir Paul Beresford: The Government offices for the regions and MAFF regional service centres have received a total of 3,051 project applications for grant under the objective 5b structural funds programmes in England since the European Commission approved them between December 1994 and March 1995.

The number of successful applications which have received offers of grant in each of the English objective 5b areas is as follows:

Northern Uplands: 377
South West: 321
English Marches: 83
Lincolnshire: 66
East Anglia: 49
Midlands Uplands: 47

Pesticide Containers

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what methods of disposal of empty pesticide containers are approved by him. [34739]

Mr. Clappison: Waste must be managed and disposed of in accordance with part II of the Environment Protection Act 1990. The Department does not recommend a particular form of disposal for empty pesticide containers but it has issued general guidance in the form of waste management paper No. 21 "Pesticide wastes." This deals with disposal of pesticide wastes derived from production and use. The final chapter consists of a code of practice which includes recommendations on disposal of empty pesticide containers.

Job Creation

Mr. Cox: To ask the Secretary of State for the Environment how many new jobs have been created through regeneration policies covering the Greater London area, in each of the last three years. [34596]

Sir Paul Beresford: The numbers of new jobs created in London by this Department's regeneration programmes over the past three years are:

1993–94: 8,263

1994–95: 12,391

1995–96: 15,214

These totals include jobs safeguarded and construction jobs in respect of some programmes for which it is not possible to disaggregate the figures.

Public Path Orders

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what factors led him to amend the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 to remove the ceiling on charges for the making of a public path order. [34856]

Mr. Clappison: The amendment of the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 is consistent with our policy of removing unnecessary bureaucracy from local authorities. Independent research, which we commissioned to examine the operation of the regulations, found that the ceiling on charges for the making of public path orders prevented local authorities from recovering their costs in most cases. It also found no evidence that the ceiling has encouraged greater efficiency.

Single Regeneration Budget

Mr. Sheerman: To ask the Secretary of State for the Environment what has been the amount of money available from European funds for SRB payments in *(a)* 1992, *(b)* 1993, *(c)* 1994 and *(d)* 1995. [34868]

Sir Paul Beresford: Funding from European structural funds adds to, rather than contributes towards, domestic expenditure on regeneration activities under the single regeneration budget. The SRB challenge fund, which began supporting schemes from April 1995, can provide matching funding for schemes also assisted from European structural funds. Information on the amount of such expenditure in the financial year 1995–96 is not yet available.

New Housing

Mr. Alfred Morris: To ask the Secretary of State for the Environment what was the total number of housing starts in England in the first quarter of 1996; and what was the equivalent figure for the same quarter last year. [34095]

Mr. Clappison: It is estimated that there were 31,800 new dwellings started in England during the first quarter of 1996, compared with 36,100 started in the first quarter of 1995.

Mixed Oxide Fuels

Mr. Llew Smith: To ask the Secretary of State for the Environment what reports he has received from British Nuclear Fuels plc regarding the environmental implications of extending the manufacture and processing of MOX nuclear fuels. [34462]

Mr. Clappison: British Nuclear Fuels supplied Copeland borough council with environmental documentation to support the planning application for the Sellafield MOX fuel fabrication plant, a copy of which was sent to the Department. As part of the normal regulatory procedures for the plant, British Nuclear Fuels supplied technical documentation, which includes environmental data, to the regulators, including the then Her Majesty's inspectorate of pollution. Information has also been supplied to the Department for preparation of a submission to the European Commission under article 37 of the Euratom treaty.

Council House Sales

Mr. Harry Greenway: To ask the Secretary of State for the Environment how many council house tenants have bought their homes since 1979; how many council tenancies remain; and if he will make a statement. [34386]

Mr. Clappison: In the period between April 1979 and December 1995 about 1.462 million dwellings were sold by local authorities and new towns in England to sitting tenants. A further 73,000 empty dwellings were sold for owner occupation during this period, some of which will have been sold to council or new town tenants.

At 1 April 1995, the latest date for which figures are available, the stock of local authority and new town dwellings in England stood at 3.565 million.

Waste Management Planning Scheme

Mr. Steen: To ask the Secretary of State for the Environment (1) what representations he has received with regard to the waste management planning scheme; [34679]

(2) what assessment he has made of the compliance of the waste management planning scheme with article 3 of the European waste framework directive to encourage the recovery of waste by means of recycling. [34680]

Mr. Clappison: In December 1995, my Department published guidance on waste management planning. It set out the information that the Environment Agency should collect about how much waste was produced of each type, where, and by whom; and about facilities disposing of or recovering waste—including facilities recovering non-ferrous metals discarded as waste.

By following this guidance, the Environment Agency will be able to provide information to development planners to provide a framework for the increased recycling of all waste components, including non-ferrous metals.

The guidance covers advice on waste minimisation and the co-ordination of recycling activities in local authorities to make this more efficient and sustainable. Therefore, insofar as it is required, I am satisfied that the guidance delivers the requirements of article 3 of the waste framework directive.

We received a number of representations about the guidance from representatives of the non-ferrous metal recycling industry.

Statutory Instruments

Mr. Steen: To ask the Secretary of State for the Environment how many statutory instruments his department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996, which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35036]

Sir Paul Beresford: This information is not available in the form requested. However, a list of regulations that have been repealed or amended was placed in the House Libraries by the Chancellor of the Duchy of Lancaster on 8 May.

Vacant Properties

Mr. Ian Bruce: To ask the Secretary of State for the Environment what is his Department's latest estimate of vacant properties owned by *(a)* local authorities. *(b)* housing associations and *(c)* private owners. [33932]

Mr. Curry: On 1 April 1995, the latest date for which figures are available, the vacancy figures for these categories were 71,800, 20,900 and an estimated 690,000 respectively.

Market Testing

Mr. David Evans: To ask the Secretary of State for the Environment what are the estimated total savings from market testing for local authorities in 1995–96; and how much this amounts to for the average D band council tax payer. [33939]

Sir Paul Beresford: Estimated savings from work subject to compulsory competitive tendering amount to £160 million in 1995–96, equivalent to about £10 off the average D band council tax. Individual authorities that have embraced the spirit of competition have made significantly higher savings and have improved standards.

Contaminated Land

Mr. Faber: To ask the Secretary of State for the Environment what arrangements he has made in regard to the allocation of capital resources for local authorities to tackle contaminated land in 1996–97. [35629]

Mr. Clappison: We have today written to 44 local authorities and waste disposal authorities informing them of the Secretary of State for the Environment's intention to issue supplementary credit approvals of nearly £7.4 million for 1996–97 in respect of capital expenditure on 83 new projects to deal with contaminated land problems.

This makes a total of £14.1 million being made available under the contaminated land SCA programme this year, as the Department of Environment has already written to 35 authorities about making SCAs of £6.7 million in respect of 94 on-going projects from previous years and two new projects.

Since its inception in 1990–91 this programme has provided some £67 million of SCAs for work to be undertaken on contaminated sites.

The SCA programme for contaminated land is aimed at tackling problems on sites in local authority ownership or where they have responsibility to take action and cannot recover their costs. The Department operates an assessment and prioritisation procedure to ensure that the available funding goes to projects representing the greatest threat to health or the environment.

North Sea Conference

Mr. Faber: To ask the Secretary of State for the Environment when he intends to publish the guidance note on implementation of the declaration of the fourth North sea conference in Ebjerg, Denmark, on 8 and 9 June 1995. [35630]

Mr. Robert B. Jones: I am pleased to be publishing the UK guidance note on the ministerial declaration made at the fourth North sea conference today. The guidance note sets out the commitments made at the fourth North sea conference and the actions necessary to implement them. It clearly demonstrates the progress that has already been made in realising those commitments and highlights our determination to continue to work for the protection of the marine environment, both in the North sea and in all the seas and coastal waters surrounding the United Kingdom. Copies of the guidance note will be placed in the Library of the House.

TRANSPORT

Search and Rescue Services

Mr. Allen: To ask the Secretary of State for Transport (1) what is the declared maximum transmission range of the S61N; and if he will make a statement; [33611]

(2) what is the declared maximum operation range, without refuelling, of search and rescue helicopters; and if he will make a statement. [33610]

Mr. Norris: I have asked the chief executive of the Coastguard agency to write to the hon. Member.

Letter from C. J. Harris to Mr. Graham Allen, dated 2 July 1996:

The Secretary of State for Transport has asked me to reply to your recent Questions about search and rescue helicopters.

Pending the formal adoption of the criteria proposed by the SAR Helicopter Review Group there is no "declared maximum operating range" of search and rescue helicopters. The range at which helicopters can operate depends on the weather and the nature of the task, as well as on aircraft characteristics. As an example the range at which existing UK SAR helicopters could complete a stretcher recovery of a person from a vessel and return with them to base, in still air would be (in nautical miles):

RAF Sea King: 265

RN Sea King: 240

Coastguard S61: 200

"Maximum transmission range" is an unfamiliar term in the flying world, both civilian and military. It has therefore been assumed that the term means the maximum distance an aircraft can cover between two points, assuming no fuel used on SAR tasks. For the Coastguard SAR S61 the distance is 420 nautical miles.

Motorway Lane Markings

Mr. Spearing: To ask the Secretary of State for Transport what study he has made of the system of motorway lane marking as used in France, designed to secure adequate distance between vehicles at given speeds. [34672]

Mr. Norris: The Transport Research Laboratory has conducted research and has published the results in project report 118 "M1 Chevron Trial—Accident Study" in August 1995, a copy of which has been placed in the Library.

Trains (Luggage Racks)

Mr. Redmond: To ask the Secretary of State for Transport if he will list by region for the last 12 months the cost of the replacing stolen luggage racks from passenger trains; and if he will make a statement. [34986]

Mr. Watts: This information is not held centrally, and could be obtained only at disproportionate cost.

Seat Belts

Ms Walley: To ask the Secretary of State for Transport what transport standards apply to the fitting of retrofitted seat belts on school transport; and if he will make a statement. [35443]

Mr. Norris: Retrofitted seat belts can be approved to either European or British standards. Each belt approved to these standards will display an approval mark.

Ms Walley: To ask the Secretary of State for Transport what plans he has to license seat belt fitters. [35444]

Mr. Norris: There are currently no plans to license seat belt fitters.

Ms Walley: To ask the Secretary of State for Transport what research he has *(a)* commissioned and *(b)* evaluated on the safety of retrofitted seat belts. [35445]

Mr. Norris: There is a large body of research on seat belts generally but the Department has not commissioned research specifically into the safety of retrofitted seat belts.

Selkent Buses

Mr. Wilson: To ask the Secretary of State for Transport if he will make a statement on the progress being made by the operator of the Selkent route franchise of London Transport Buses. [35459]

Mr. Norris: This is a matter for London Transport Buses.

Passenger Rail Subsidies

Mr. Wilson: To ask the Secretary of State for Transport what approaches for increased subsidy have been made to the Office of Passenger Rail Franchising by each of the private operators providing passenger rail services since the commencement of their franchise agreements; and if he will make a statement. [35449]

Mr. Watts: None.

EU Bus and Coach Directive

Mr. Steen: To ask the Secretary of State for Transport if he will place a copy of the fiche d'impact for the EU bus and coach directive in the Library. [34988]

Mr. Norris: The Commission has not yet tabled a proposal for a European bus and coach directive, and consequently no fiche d'impact has yet been issued.

SOCIAL SECURITY

Compensation Recovery Unit

Mr. Worthington: To ask the Secretary of State for Social Security when he expects to announce his policy response to the fourth report of the Social Security Committee, HC196 of Session 1994–95, on the work of the compensation recovery unit. [33356]

Mr. Roger Evans: The reply by the Government to the fourth report of the Select Committee on compensation recovery was published on 2 October 1995, Cm 2997. A compliance cost assessment of the Select Committee's proposals was also published on 14 February. Consultation exercises on the future of the compensation recovery scheme and on the implications of the compliance cost assessment ended on 13 November 1995 and 29 April 1996 respectively.

The Government will announce their decision in due course.

Benefit Fraud

Mr. Frank Field: To ask the Secretary of State for Social Security (1) if he will make a statement on the organisation of the work of the Benefits Agency's internal fraud investigators; [33788]

(2) how many Benefits Agency staff have been *(a)* disciplined, *(b)* suspended or *(c)* dismissed for matters relating to benefit fraud in the period 1 April 1995 to 31 March 1996; [33782]

(3) how many Benefits Agency staff have been prosecuted for matters relating to benefit fraud in the period 1 April 1995 to 31 March 1996; what were the charges laid and their outcome; how much benefit was defrauded in each case; what was the grade and office location of the Benefits Agency of each employee involved; and how many such employees were employed in offices at *(a)* local, *(b)* headquarters and *(c)* other levels. [33783]

Mr. Heald: Internal fraud investigations in the Benefits Agency are the responsibility of area directors and their equivalents, and the personnel services manager for Beenefits Agency central services.

Each director has specially trained investigators who conduct investigations into staff working in the directorate. In addition to full-time permanent investigators, directors have panels of trained investigators, normally employed on other duties, who can be called on to assist in investigations when necessary. Often the panel members will have expertise in a particular area.

The Benefits Agency security branch provides a central support and co-ordinating function for investigators throughout the agency.

Disciplinary and prosecution action is also the responsibility of area directors and their equivalents within the agency. Disciplinary action taken specifically as a result of benefit fraud is not distinguished from that taken for other reasons in central records.

Details of staff suspended are not recorded as suspension is an interim measure taken by managers pending the conclusion of investigative action.

Information is, however, collated centrally relating to the prosecution and disciplinary action taken as a result of area directors' investigations.

Involvement of staff in benefit fraud is viewed very seriously by the Benefits Agency, and will result in dismissal and prosecution when proven.

The figures in the table relate to disciplinary action taken between 1 April 1995 and 31 March 1996 as a result of area directors' investigations, where the investigation identified benefit-related fraud. This includes cases where members of staff were found to be "living together as husband and wife" with benefit customers, where such action resulted in a fraudulent benefit claim. The figures do not include cases where officers resigned.

	Number
Benefits Agency staff dismissed for involvement in benefit related fraud	10
Staff receiving other penalties for involvement in benefit related fraud	0

Figures are not kept centrally relating specifically to prosecutions arising from benefit fraud.

The cases listed in the list are those prosecutions resulting from area directors' investigations in the Benefits Agency, and which were completed between 1 April 1995 and 31 March 1996, which involved any benefit. This includes misappropriation of instruments of payment, and frauds which involved misuse of the benefits administration system rather than false benefit claims.

Case 1

Charge: Not recorded

Amount defrauded: £2,655.22

Outcome: 10 months-imprisonment

Office location: London Central District

Grade: Local Officer II

Level of employment: Local

Case 2

Charge: False accounting, deception

Amount defrauded: £2,261.61

Outcome: 240 hours community service

Office location: Hackney and Islington District

Grade: Local Officer II

Level of employment: Local

Case 3

Charge: Conspiracy to defraud

Amount defrauded: £153,467.70

Outcome: 18 months imprisonment

Office location: South Downs District

Grade: Local Officer II

Level of employment: Local

Case 4

Charge: Theft and deception

Amount defrauded: £7,855.75

Outcome: Six months imprisonment

Office location: West Hertfordshire District

Grade: Local Officer II

Level of employment: Local

Case 5

Charge: Conspiracy to defraud

Amount defrauded: £79,803.28

Outcome: Two officers were charged—both were acquitted

Office Location: Newham District

Grade: Local Officer II

Level of employment: Local

Case 6

Charge: Theft

Amount defrauded: £20,495.53

Outcome: BA employee sentenced to three years imprisonment. Seven external accomplices were also charged: three were cautioned, three were sentenced to community service, and one received six months probation.

Office location: Sefton District

Grade: Local Officer II

Level of employment: Local

Case 7

Charge: conspiracy to defraud

Amount defrauded: £9,953.51

Outcome: Charges against officer dropped by CPS. Co-conspirator sentenced to 18 months imprisonment.

Office location: Birmingham Chamberlain District

Grade: Local Officer II

Level of employment: Local

Case 8

Charge: Not recorded

Amount defrauded: £36,348.67

Outcome: Two years imprisonment

Office location: Oxfordshire District

Grade: Local Officer II

Level of employment: Local

Case 9

Charge: Conspiracy to defraud

Amount defrauded: £59,000.00

Outcome: Officer sentenced to two and a half years imprisonment. External accomplice sentenced to one years imprisonment.

Office location: Hackney and Islington District

Grade: Local Officer II

Level of employment: Local

Case 10

Charge: Conspiracy to defraud

Amount defrauded £34,094.50

Outcome: Four months imprisonment

Office location: Palace District

Grade: Local Officer II

Level of employment: Local

Case 11

Charge: Not recorded

Amount defrauded: £15,901.14

Outcome: Two and a half years imprisonment

Office location: Birkenhead District

Grade: Local Officer II

Level of employment: Local

Mr. Simpson: To ask the Secretary of State for Social Security what amounts were spent by the Government on the detection of benefit fraud in *(a)* 1993–94 and *(b)* 1994–95. [34031]

Mr. Heald: In 1993–94, over £70 million was allocated for the detection of benefit fraud. In 1994–95, the allocation increased to over £77 million.

Disability Working Allowance

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will list the steps taken to publicise the availability of disability working allowance among *(a)* people with disabilities, *(b)* employers and *(c)* professionals working with disabled people. [33830]

Mr. Andrew Mitchell: Disability working allowance has been promoted regularly since it was launched in 1992. A comprehensive programme of publicity has aimed to reach the widest possible audience and has included campaigns at national and local levels. Initiatives aimed at specific groups are as follows:

Disabled people:

Television campaigns in 1992 and 1995;

On-going newspaper campaigns from 1992, including articles in the jobs pages of local newspapers;

Benefit News for Jobhunters which is published on a bi-monthly basis;

Working with Benefits campaign on television, radio and in newspapers which started in 1995;

On-going exhibitions and seminars such as the 1995 Motability Exhibition (around 50,000 people attended) and Business In the Community seminar (Birmingham).

Employers:

Three videos about DWA have been produced aimed mainly at professional advisers and employers (1993–1996);

National press campaign in March 1996 aimed at employers;

Seminars have been held at places such as Remploy and The Shaw Trust;

Ongoing distribution of DWA leaflets and literature to selected employers.

Professionals working with disabled people:

Campaigns in specialist press in 1992 and 1996 aimed at professionals working with people with disabilities;

BBC Select's night-time television service promoted DWA in 1992;

Benefit News for Jobhunters published on a bi-monthly basis has been widely distributed to professional advisers;

Various seminars and the distribution of leaflets are carried out regularly to professionals: for example, SCOPE; MENCAP; NACAB and Job Centres.

War Pensions

Mr. Mullin: To ask the Secretary of State for Social Security what is his estimate of the cost to his Department of disregarding war disablement and war widows' pensions in their entirety for the purpose of calculating housing benefit and council tax rebates. [33880]

Mr. Roger Evans: A broad estimate of the cost of fully disregarding all war disablement pensions and war widows' pensions for housing benefit and council tax benefit purposes is £80 million per annum.

Notes:

1. Estimates are based upon the May 1994 Income Support Quarterly Statistical Enquiry; the 1991, 1992 and 1993 Family Expenditure Survey; and data given in local authority subsidy returns for 1994–95.

2. Estimates have been uprated to 1996–97 levels and use factors derived from the 1996 Departmental Report on the growth of average Housing Benefit and the growth of the war pensions caseload.

3. In compiling these estimates, expenditure has been rounded, wherever appropriate, to the nearest £5 million.

4. Estimates are broad order estimates only, due to lack of comprehensive data.

Benefit Statistics

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his estimate of the cost of introducing a taper of *(a)* 50 per cent. and *(b)* 70 per cent. on earnings above each of the earnings disregards for (i) income support, (ii) housing benefit and (iii) council tax benefit; and how many people would gain from these changes. [34231]

Mr. Roger Evans: The information requested is set out in the table.

	50 per cent. tapered earnings disregard	*70 per cent. tapered earnings disregard*
Income support taper		
Cost	£130 million	£230 million
Income support gainers	180,000	200,000
Housing benefit taper		
Cost	£1.4 billion	£2.4 billion
Housing benefit gainers	800,000	1 million
Council tax benefit taper		
Cost	£500 million	£1.4 billion
Council tax benefit gainers	1.2 million	2.6 million

1. The cost of the income support taper includes the cost of increased numbers on income support, including any additional entitlement to housing benefit and council tax benefit.

2. Gainers include numbers additionally entitled to benefit.

3. Figures are based on the 1994 QSE and the 1991/1992/1993 Family Expenditure Survey, uprated to 1996/7 levels. Costs for income support are rounded to the nearest £5 million, gainers to the nearest 10,000. For housing benefit and council tax benefit costs are rounded to the nearest £0.1 billion, gainers are rounded to the nearest £0.1 million.

4. Figures for IS include the effect of jobseekers allowance from October 1996. The effect on the back to work bonus has not been estimated, as future behavioural effects are very uncertain.

Mr. Howarth: To ask the Secretary of State for Social Security how many *(a)* couples and *(b)* lone parents claimed the child care allowance in respect of claims for (i) family credit, (ii) disability working allowance, (iii) housing benefit and (iv) council tax benefit, (1) since its introduction, (2) during 1995–96 and (3) currently. [34235]

Mr. Evans: The information is not available in the format requested. Such information as is available is set out in the table:

	Cumulative to February 1996	*Current as at February 1996*
Family credit		
Couples	2,000	1,000
Lone parents	34,000	22,000
Disability working allowance		
Couples	17	9
Lone parents	90	72

Sources:

1. Family Credit 5 per cent. sample of all awards.
2. Disability Working Allowance 100 per cent. of all awards.

Notes:

1. Numbers for Family Credit have been rounded to the nearest thousand.
2. Figures for Housing Benefit and Council Tax Benefit are not yet available.
3. Data are provisional.

Appeals

Mrs. Jane Kennedy: To ask the Secretary of State for Social Security, pursuant to his answer of 17 June, *Official Report*, column *333*, if he will list those organisations and individuals with whom he is consulting with regard to his review of the arrangements for decisions and appeals. [34496]

Mr. Roger Evans: The review is still being conducted and no decisions have yet been taken on the nature or timing of wider consultation.

Invalid Care Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many claimants of invalid care allowance are also in receipt of part-time earnings; and what is the average amount of earnings paid. [34225]

Mr. Burt: As at 20 June 1996, 24,725 invalid care allowance recipients had earnings from employment.

Information regarding the number of hours worked and the average amount of earnings is not readily available and could be obtained only at disproportionate cost.

Source:

Invalid Care Allowance database—100 per cent. count.

Disability Benefits

Mr. Alan Howarth: To ask the Secretary of State for Social Security (1) what estimate he has made of the cost of extending the eight–week linking rule for incapacity benefits as qualifying benefits for disability working allowance to two years; and how many people would gain from this change; [34247]

(2) what is his estimate of the cost of introducing a taper of *(a)* 50 per cent. and *(b)* 70 per cent. on earnings above the limit for exempt work for (i) incapacity benefit and (ii) severe disablement allowances; and how many people would gain from these changes; [34232]

(3) what is his estimate of the cost of extending the eight-week linking rule for incapacity benefit to two years. [34246]

Mr. Burt: Information on which to base reliable estimates is not available.

Mr. Howarth: To ask the Secretary of State for Social Security what is the average number of children per family claiming *(a)* family credit and *(b)* disability working allowance (i) in total and (ii) where the oldest child is aged under (1) five years and (2) 11 years. [34236]

Mr. Rogers Evans: The information is set out in the table.

Average number of children in families receiving family credit and disability working allowance

	Family credit	*Disability working allowance*
All cases	2.0	1.9
Oldest child aged under 5 years	1.4	1.4
Oldest child aged under 11 years	1.8	1.8

Notes:
1. Average number of children per family are expressed to one decimal place.
2. For Disability Working Allowance, the average number of children has been expressed as the average number in families with children.
3. Data for Family Credit and Disability Working Allowance are for October 1995 and January 1996 respectively.

Source:
1. Family Credit 5 per cent. sample of awards.
2. Disability Working Allowance 100 per cent. count of claims.

Mortgage Repayments (Benefits)

Mr. Cox: To ask the Secretary of State for Social Security what is the maximum monthly amount of benefit paid by his Department towards the payment of mortgage repayments on properties belonging to unemployed people. [34593]

Mr. Roger Evans: There is no set maximum amount. However, for new income support claimants there is a limit of £100,000 on the size of mortgage for which help is available. At our current standard interest rate of 7.48 per cent. this gives a weekly amount of £137.38 with MIRAS, £143.85 without. This limit does not apply when part of the loan was used to adapt the home to meet the special needs of a disabled person.

Income Support

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many *(a)* male and *(b)* female claimants of income support where the claimant (i) is signing on as unemployed and (ii) is sick or disabled, are also claiming for an adult dependant; and what is the average amount of benefit payable in each case. [34217]

Mr. Roger Evans: The information is set out in the table.

Unemployed and sick or disabled income support claimants with adult dependants—August 1995

	Male claimants		*Female claimants*	
	Number of cases	*Average weekly income support*	*Number of cases*	*Average weekly income support*
Unemployed	349,000	£96.29	19,000	£84.15
Sick or disabled	282,000	£76.81	92,000	£81.46

Short-term sick cases paid by Automated Credit Transfer are not included.

Mr. Howarth: To ask the Secretary of State for Social Security what is his estimate of the cost of raising the income support earnings disregard for lone parents to £25 per week; and how many people would gain from these changes. [34233]

Mr. Evans: The information is set out in the table:

1996–97 cost and gainers	*Cost (£ million)*	*Income support gainers*
Increasing the income support earnings disregard for lone parents to £25	20	45,000

1. The cost includes the cost of increased numbers on Income Support, including any additional entitlement to Housing Benefit and Council Tax Benefit.
2. Gainers, include people additionally entitled to Income Support as a result of the change.
3. Figures are based on the 1994 Quarterly Statistical Enquiry and the 1991/1992/1993 Family Expenditure Survey, uprated to 1996/7 levels. Costs are rounded to the nearest £5 million, gainers to the nearest 5,000.
4. The total cost includes the cost of Jobseeker's Allowance from October 1996. The effect on the back to work bonus has not been estimated, as it not possible to quantify reliably future behavioural effects.

Mr. Howarth: To ask the Secretary of State for Social Security how many people were disqualified from income support where the claimant's partner was working for more than 16 hours a week; and what is his estimate of the cost of abolishing the hours limit for partners. [34216]

Mr. Evans: Information is not available in respect of the number of people disqualified from income support where a partner works more than 16 hours a week.

The estimated cost of abolishing the hours rule for partners of income support claimants is about £150 million to £200 million per annum. This is at 1996–97 levels of incomes and prices, and includes the cost of jobseeker's allowance, income-related, from October 1996. The figures take no account of possible behavioural changes, or the increase to 24 hours a week for partner's hours from October 1996.

In-work Benefits

Mr. Timms: To ask the Secretary of State for Social Security if he will list by labour sector the number of people receiving in-work benefits in each year since 1979. [34743]

Mr. Roger Evans: The information is not available. Information is held on the occupations of in-work benefit recipients, rather than on the industrial sector in which they are employed.

Mr. Timms: To ask the Secretary of State for Social Security if he will list by occupations previously covered by the wages council order the number of people receiving in-work benefits in each year since 1979. [34744]

Mr. Evans: The information is not available.

National Insurance

Mr. Alan Howarth: To ask the Secretary of State for Social Security what is his latest estimate of the amount of national insurance contributions which have been unpaid during each of the last three years from *(a)* employers and *(b)* the self-employed. [34244]

Mr. Heald: Estimates of the value of national insurance contributions unpaid by employers are available only for the 1992–93 and 1993–94 tax years. A random survey of employers known to the Contributions Agency estimated that underpayments of class 1 NIC for 1992–93 and 1993–94 were £111 million and £76 million respectively.

Self-employed contributors pay class 2 and class 4 contributions. Class 2 contributions are collected by direct debit payments or in response to the issue of quarterly bills. Estimates as to unpaid class 2 contributions could be obtained only at disproportionate cost.

Class 4 contributions are collected by the Inland Revenue, which draws up its accounts on the last Friday in October. For the years ended 1993 to 1995 the amounts of class 4 contributions[1] uncollected and written off were:

1993: £66.7 million

1994: £52.8 million

1995: £34.5 million

Figures for class 4 contributions are for England and Wales and Scotland only.

Mr. Howarth: To ask the Secretary of State for Social Security how many people in each year since 1989 have been in receipt of a national insurance credit for *(a)* incapacity, where no benefit is in payment, *(b)* unemployment, where no benefit is in payment, *(c)* people entitled to invalid care allowance, *(d)* people receiving statutory sick pay, *(e)* women receiving statutory maternity pay and *(f)* men aged between 60 and 64 years. [34275]

Mr. Heald: The information is not available in the format requested. Such information as is available is in the tables.

Table 1: Number[1] of people claiming benefit due to medical incapacity (Sickness Benefit and Incapacity Benefit) and receiving National Insurance credits only (no benefit in payment)

	Total claimants (thousands)
1 April 1989[2]	157
31 March 1990[2]	205
30 March 1991[2]	262
4 April 1992[2]	320
3 April 1993[2]	387
2 April 1994[1]	440

Table 1: Number[1] of people claiming benefit due to medical incapacity (Sickness Benefit and Incapacity Benefit) and receiving National Insurance credits only (no benefit in payment)

	Total claimants (thousands)
12 April 1995[2]	512
29 February 1996[3]	580

[1] Point in time data—numbers are as at date shown.

[2] Source: 1 per cent. sample of all claims to Sickness Benefit in GB.

[3] Source: 5 per cent. sample of claims for Incapacity Benefit, excluding a small number of cases not held on the computer system.

Table 2: Number[1] of unemployed claimants in receipt of National Insurance credits only

	Total claimants (thousands)
May 1989	274
May 1990	220
May 1991	280
May 1992	313
May 1993	335
May 1994	281
May 1995	231
February 1996[2]	229

Notes:

[1] Point in time data—numbers relate to the position on the second Thursday of May of the relevant year and are the number of unemployed claimants not receiving Unemployment Benefit or Income Support. Figures include a small number who will not receive credits, but cannot be identified separately.

[2] Data for February 1996 are the most recent available.

Source:

5 per cent. sample of unemployed claimants.

Table 3: Number of people receiving at least one credit in the financial year given: by type of credit

Financial year	ICA credits (thousands)	Men aged between 60 and 64 (thousands)
1988–89	116	1,299
1989–90	129	1,311
1990–91	143	1,331
1991–92	174	1,348
1992–93	210	1,371

Source:

1 per cent. of NIRS (National Insurance Recording System) taken at February 1994.

Funeral Costs

Mr. Austin Mitchell: To ask the Secretary of State for Social Security (1) what was the average cost of a funeral in each of the last five years and for the current year in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* the United Kingdom as a whole; and if he will make a statement; [34412]

(2) what figures his Department has on the average cost of a funeral in each of the last five years and for the current year in each region of England; and if he will make a statement. [34413]

Mr. Roger Evans: The Department does not collect information on funeral costs. Where someone has good cause for taking responsibility for a funeral but they have insufficient funds, help is available from the social fund. The reasonable cost of a dignified funeral is allowed. This

includes up to £500 for a specified funeral director's charges, plus all the necessary disbursements for either a burial or cremation.

Mr. Mitchell: To ask the Secretary of State for Social Security what recent investigations his Department has commissioned into the cost of simple funerals. [34405]

Mr. Evans: Social fund funeral payments cover the reasonable cost of a dignified funeral. This includes up to £500 for specified funeral directors' charges, plus all the necessary disbursements for either burial or cremation. In the case of burials, the cost to the taxpayer could well exceed £1,000. In deciding the reasonable costs, the adjudication officer takes into account the level of prices charged locally for each of the items allowable.

Chemical and Biological Defence Establishment

Mr. Livingstone: To ask the Secretary of State for Social Security what medical and scientific personnel and resources are utilised by the War Pensions Agency when it decides whether to award a pension to former service personnel who are claiming disablement because they participated in experiments in the service volunteers programme at the Chemical and Biological Defence Establishment at Porton Down. [34473]

Mr. Heald: This is a matter for Mr. Kevin Caldwell, chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from K. C. Caldwell to Mr. Ken Livingstone, dated 1 July 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the medical and scientific personnel and resources utilised by the War Pensions Agency when it decides whether to award a pension to former service personnel who are claiming disablement because they participated in experiments in the service volunteers programme at the Chemical Defence Establishment at Porton Down.

Claims to War Pensions are considered individually and according to their specific circumstance. War Pension may be awarded when it is accepted that disablement is attributable to or aggravated by service (including participation in the tests).

War Pensions legislation provides that medical matters are determined by medical officers appointed or recognised for the purpose. Administrative officers acting on behalf of the Secretary of State confirm service details made in relation to the claim.

War Pension doctors are fully qualified medical practitioners with wide clinical experience. On entry they undergo prolonged training on all aspects of the War Pensions Scheme, including the law, policy and medicine in relation to War Pensions. This includes discussion and information relating to particular service zones and experiences. In addition they have access to a well stocked library which contains medical, scientific, and service (including historical) information.

War Pensions doctors base their adjudication on relevant medical evidence, which may include service medical details, and post service medical records. War Pensions claimants may be required to undergo a War Pensions medical examination or be seen and examined by an independent specialist accredited to an appropriate speciality. Where the medical issues are complex, or some conflicting evidence exists, the case may be referred to a Regional Consultant for examination and report or in some cases for a documentary opinion. This referral is accompanied by a full typewritten Statement of Case, containing all available relevant evidence. Regional Consultants are people of special eminence in their field of work.

In cases where service at the Clinical and Biological Defence Establishment is an issue, relevant information, whether service medical or scientific, is obtained from the Chief Executive of the Chemical and Biological Defence Establishment.

I hope you find my reply helpful.

Disability Living Allowance

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many claimants of *(a)* the disability living allowance care component and *(b)* attendance allowance have had their benefits suspended during a period in hospital and residential care during each of the last two years. [34782]

Mr. Andrew Mitchell: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alan Howarth, dated 1 July 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many claimants of (a) the Disability Living Allowance (DLA) care component and (b) Attendance Allowance (AA) have had their benefits suspended during a period in hospital and residential care during each of the last two years.

The information requested is not available in the format requested.

It is only possible to provide the number of suspensions for DLA care component at any one point in time. As at 31 May 1996 there have been 31,100 suspensions due to period spent in hospital or residential care.

Data is not held centrally for AA as the majority of cases are paid combined with another benefit by the District Offices. The information, therefore, could be obtained only at disproportionate cost.

I hope you find this reply helpful.

Mr. Howarth: To ask the Secretary of State for Social Security how many claimants of the disability living allowance care component and attendance allowance have been overpaid benefit as a result of a stay in hospital or residential care during each of the past two years; in how many cases this overpayment was recoverable; and where an overpayment was recoverable, what was the total value of benefits overpaid. [34783]

Mr. Mitchell: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alan Howarth, dated 1 July 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking has any claimants of the Disability Living Allowance (DLA) care component and Attendance Allowance (AA) have been overpaid benefit as a result of a stay in hospital or residential care during each of the past two years; in how many cases this overpayment was recoverable; and where an overpayment was recoverable, what was the total value of benefits overpaid.

The information is not available in the format requested.

Figures for DLA overpayments due to a period of hospitalisation or residential care prior to July 1995 can be obtained only at disproportionate cost. As a result of an enhancement to the computer system, figures are available from July 1995.

The figures below are from 1 July 1995 to 29 February 1996.

	Number of overpayments	Number recoverable	Value of recoverable overpayments (£)
Hospitalisation	2,715	1,704	455,049.01
Residential care	1,445	577	424,383.04
Total	4,160	2,281	879,432.05

Figures are provisional and subject to amendment.

Figures for AA overpayments due to a period of hospitalisation or residential care prior to April 1996 can be obtained only at disproportionate cost. As a result of an enhancement to the computer system, figures are available from April 1996.

The figures in the table are from 1 April 1996 to 26 June 1996.

	Number of overpayments	Number recoverable	Value of recoverable overpayments (£)
Hospitalisation	763	437	95,463.73
Residential care	604	315	146,045.97
Total	1,367	752	241,509.70

Figures are provisional and subject to amendment.

I hope you find this reply helpful.

Mr. Howarth: To ask the Secretary of State for Social Security on what basis he has issued letters and a leaflet to claimants of the disability living allowance mobility component concerning details of recent periods in hospital in advance of Parliament's decision on the Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996; and if he will make a statement. [34781]

Mr. Mitchell: This is a matter for Peter Mathison of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Alan Howarth, dated 1 July 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking on what basis he has issued letters and a leaflet to claimants of the Disability Living Allowance mobility component concerning details of recent periods in hospital in advance of Parliament's decision on the Social Security (Disability Living Allowance and Claims and Payments) Amendments regulations 1996; and if he will make a statement.

The Regulations in question are subject to negative resolution procedure. They were made on 4 June 1996 and laid before Parliament on 7 June 1996. The letters and leaflets in question were not issued to customers until 15 June 1996.

I hope you find this reply helpful.

Jobseeker's Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security how many statutory instruments laid before Parliament by his Department in each of the last three years have been exempted from the requirement in section 172(1) of the Social Security Administration Act 1992 to be referred to the Social Security Advisory Committee because they were made within six months of the coming into force of an Act of Parliament; and if he will list each of the Acts of Parliament concerned with the number of statutory instruments affected in each case. [34074]

Mr. Burt: In the 12-month periods ending on 26 June 1994, 1995 and 1996, none, 11 and seven respectively, of which 11 were made under the Social Security (Incapacity for Work) Act 1994, six under the Jobseekers Act 1995 and one under the Child Support Act 1995.

Mr. Field: To ask the Secretary of State for Social Security if he will list each of the statutory instruments made under the Jobseekers Act 1995 which have been laid before Parliament with the date of laying and the date of coming into force in each case; how many further instruments the Government have in draft, out to consultation or otherwise in preparation to implement the Jobseekers Act 1995; and if he will consider introducing regulations to consolidate the statutory instruments relating to the jobseeker's allowance. [34075]

Mr. Roger Evans: Information on those statutory instruments which have been made under the Jobseekers Act and laid before Parliament, together with the coming into force date of each, is set out in the table. In addition, a number of statutory instruments which will be made under powers contained in the Jobseekers Act are currently in preparation. The regulations governing the back to work bonus and transitional provisions will be consolidated, but there are no current plans to consolidate any other jobseeker's allowance regulations.

SI No.	Title	Date laid	Date of coming into force
1995/3228	The Jobseekers Act 1995 (Commencement Order No. 1) Order 1995	'11 December 1995	12 December 1995 and 6 April 1996
1995/3276	The Jobseeker's Allowance (Transitional Provisions) Regulations 1995	20 December 1995	7 October 1996
1996/193	The Social Security (Back to Work Bonus) Regulations 1996	'1 February 1996	7 October 1996
1996/194	The Housing Benefit, Supply of Information and Council Tax Benefit (Amendment) Regulations 1996	'1 February 1996	1 April 1996
1996/195	The Employer's Contributions Reimbursement Regulations 1996	'1 February 1996	6 April 1996
1996/206	The Income Support (General) (Jobseeker's Allowance Consequential Amendments) Regulations 1996	'1 February 1996	7 October 1996
1996/207	The Jobseeker's Allowance Regulations 1996	'1 February 1996	7 October 1996
1996/1126	The Jobseekers Act (Commencement No. 2) Order	'18 April 1996	22 April 1996

SI No.	Title	Date laid	Date of coming into force
1996/1252	The Income Support (Pilot Scheme) Regulations 1996	[1]8 May 1996	8 July 1996
1996/1307	The Jobseeker's Allowance (Pilot Scheme) Regulations 1996	[1]13 May 1996	7 October 1996
1996/1345	The Social Security and Child Support (Jobseeker's Allowance) (Miscellaneous Consequentials) Regulations 1996	24 May 1996	7 October 1996
1996/1443	The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations 1996	7 June 1996	7 October 1996
1996/1460	The Social Security (Claims and Payments) (Jobseeker's Allowance Consequential Amendments) Regulations 1996	11 June 1996	7 October 1996
1996/1509	The Jobseekers Act (Commencement No. 3) Order 1996	[1]10 June 1996	11 June 1996
1996/1510	The Housing Benefit, Council Tax Benefit and Supply of Information (Jobseeker's Allowance) (Consequential Amendments) Regulations 1996	14 June 1996	7 October 1996
1996/1511	The Social Security (Back to Work Bonus) (Amendment) Regulations 1996	17 June 1996	7 October 1996
1996/1515	The Jobseeker's Allowance (Transitional Provisions) (Amendment) Regulations 1996	18 June 1996	7 October 1996
1996/1516	The Jobseeker's Allowance (Amendment) Regulations 1996	[1]11 June 1996	7 October 1996
1996/1517	The Jobseeker's Allowance and Income Support (General) (Amendment) Regulations 1996	[1]11 June 1996	7 October 1996
1996/1518	The Social Security (Adjudication) Amendment Regulations 1996	[1]11 June 1996	7 October 1996
	The Jobseeker's Allowance (Pilot Schemes) (Amendment) Regulations 1996	10 June 1996	[Not yet debated]
	The Child Benefit, Child Support and Social Security (Miscellaneous Amendments) Regulations 1996	5 June 1996	[Not yet debated]

[1] Date made.

Earnings

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will estimate the numbers of *(a)* men and *(b)* women whose earnings are below the level of the lower earnings limit for national insurance contributions, indicating for each the estimated average weekly hours of work. [34791]

Mrs. Angela Knight: I have been asked to reply.

Figures from the labour force survey, winter 1995, show that in Great Britain there were an estimated 550,000 men with earnings below the lower earnings limit for national insurance contributions; these men worked on average 16.2 hours per week. Of the estimated 2 million women below the limit, average weekly hours were 11.7.

WALES

Forestry Commission Woodland

Mr. Barry Jones: To ask the Secretary of State for Wales what percentage of Forestry Commission woodlands in Wales has been sold off since 1981. [34675]

Mr. Jonathan Evans: The question relates to matters undertaken by Forest Enterprise. I have asked its chief executive, Mr. Gordon Cowie, to reply.

Letter from Gordon M. Cowie to Mr. Barry Jones, dated 2 July 1996:

The Secretary of State for Wales has asked me to reply to your Question about the percentage of woodlands sold in Wales.

Forest Enterprise sold 16,842 hectares of woodland in Wales between 1981 and March 1996 and this represents some 12% of the area owned in 1981.

Mr. Jones: To ask the Secretary of State for Wales how many Forestry Commission woodlands there were in 1981; and how many now exist in what was the former county of Clwyd. [34676]

Mr. Evans: There are no records of the number of individual woodlands in Clwyd, but the area of woodland is estimated to have increased since 1981 from some 22,000 hectares to nearly 23,000 hectares.

EU Business (Veto)

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the items of EU business which have been vetoed by the Government since the announcement of the non-co-operation policy which would have applied in Wales; and what assessment he has made of the impact of each item in Wales. [34489]

Mr. Hague: Under the policy of non-co-operation the United Kingdom withheld agreement to 74 measures requiring unanimous approval. The Prime Minister announced on 24 June that the policy had been lifted. All the measures affected by the policy are now expected to be taken forward.

Statutory Instruments

Mr. Steen: To ask the Secretary of State for Wales how many statutory instruments his Department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996, which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35035]

Mr. Hague: The number of statutory instruments introduced by the Welsh Office during the past three years which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation is as follows:

1994: 1

1995: 0

1996 (from 1 January to 1 May): 2.

NHS Nurses

Mr. Morgan: To ask the Secretary of State for Wales how many *(a)* full-time and *(b)* part-time nurses were employed in (i) hospitals, (ii) community service and (iii) general practice in the Welsh NHS in (1) 1980, (2) 1985, (3) 1990 and (4) 1995. [35222]

Mr. Hague: A reliable split between nursing and midwifery staff employed in the hospital and community service is not separately available, and so the information given in the first part of the table relates to all directly employed NHS staff in the nursing and midwifery group.

Numbers of staff in post	*1980*	*1985*	*1990*	*1995*
Hospital and community service (excluding pre-registration learners) at 30 September:				
Full-time	13,264	15,964	17,002	[1]16,152
Part-time	11,798	11,965	13,619	[1]16,515
Nurses in general practice (at 1 October):				
Full-time	11	15	—	—
Part-time	95	196	—	—
Total	106	211	753	[2]1,062

— Information not collected centrally.

[1] Excludes staff on local payscales for whom no details of contractual commitment are available centrally.

[2] Provisional.

Health Care Integration

Mr. Morgan: To ask the Secretary of State for Wales if he will set up an evaluation exercise of the comparative costs and benefits of *(a)* integrated hospital, community and ambulance services and *(b)* separating ambulance services from other health provider services. [35226]

Mr. Hague: I have no plans to set up an evaluation exercise of this nature.

General Practitioners

Mr. Morgan: To ask the Secretary of State for Wales how many *(a)* full-time and *(b)* part-time doctors were employed in general practice in Wales in *(a)* 1980, *(b)* 1985, *(c)* 1990 and *(d)* 1995. [35223]

Mr. Hague: Information on the contractual commitment of general medical practitioners was collected for the first time in 1990. The information is given in the table:

Unrestricted general medical practitioners at 1 October

	1990	*1995*
Full-time	1,553	1,499
Part-time	82	220

NHS Trusts

Mr. Morgan: To ask the Secretary of State for Wales if he will list those trusts which have not to date signed contracts with their local health authorities. [35224]

Mr. Hague: The information provided by NHS trusts is as follows:

Contracts agreed but not signed	*Agreement awaited*
Wrexham Maelor	Carmarthen
Glan Hafren	Ceredigion
Gwent Community	Derwen
Nevill Hall	Llanelli
Gwynedd Community	Pembrokeshire
North Glamorgan	Morriston
Glan-y-Mor	University Dental Hospital
Mid Wales Ambulance	Gwynedd Hospitals
North Wales Ambulance	University Hospital of Wales
South East Wales Ambulance	Powys
Llandough Rhondda	

Ambulance Trusts

Mr. Morgan: To ask the Secretary of State for Wales when he estimates he will receive proposals for revising the boundaries of ambulance trusts from *(a)* the Welsh ambulance policy and advisory group and *(b)* Pembrokeshire NHS trust. [35225]

Mr. Hague: I have not received any formal proposals from either the Welsh ambulance policy and advisory group or the Pembrokeshire NHS trust.

Ambulance Services

Mr. Morgan: To ask the Secretary of State for Wales if he will instigate a study into the costs and benefits of *(a)* single-handed and *(b)* double-handed ambulance crews providing first attendance at the sites of accidents and other emergencies; what representations he has received on the proposals to institute single-handed response systems; how it relates to (i) Orcon and (ii) other standards; and if he will make a statement. [35227]

Mr. Hague: The Department of Health has set up a group to review ambulance performance standards. The group's recommendations are expected to address methods of response, and I will be taking advice on the implications of these recommendations for Wales in due course.

Mr. Morgan: To ask the Secretary of State for Wales what guidelines he has issued to health service units in Wales in relation to the benefits aligning ambulance trust boundaries with *(a)* the new health authority boundaries and *(b)* the other emergency services' boundaries; and if he will make a statement. [35228]

Mr. Hague: None.

NHS Efficiency Savings

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received from *(a)* health authorities and *(b)* trusts concerning the departmental efficiency savings required from them during the 1996–97 financial year. [35229]

Mr. Hague: A number of health authority and NHS trust chairmen and chief executives have expressed some concern at the ability of their organisations to continue to deliver efficiency improvements of 3 per cent. a year.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Sir Cranley Onslow: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to ensure that beef for human consumption imported into the United Kingdom from EC countries conforms to the same standards as beef processed by abattoirs in the United Kingdom in respect of precautions against BSE. [31008]

Mrs. Browning: All fresh meat imported into the UK from other member states or third countries must have been produced in accordance with harmonised Community rules laid down in Council directive 64/433/EC.

The Beef (Emergency Control) Order 1996, as amended, prohibits the sale for human consumption of all bovine meat derived from bovines which, at the time of slaughter, were more than 30 months old. This measure applies to all bovines slaughtered after the commencement of the order, whether in the UK or overseas, other than those born, reared and slaughtered in those third countries specifically excluded by the order listed in the schedule to the No. 2 amendment order. The list of countries is confined to those where the Government are satisfied there is no history of BSE and public health rules do not prohibit imports.

The third countries exempted are from the order are:

Argentina
Australia
Botswana
Brazil
Mauritius
Namibia
New Zealand
Paraguay
Poland
South Africa
Swaziland
Uruguay
United States of America
Zimbabwe

As regards bovines less than 30 months of age, a number of countries with BSE have introduced controls requiring the removal of specified bovine offals. We continue to keep the position under review.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the total net cost to the Exchequer of the current BSE eradication scheme in the United Kingdom, with particular reference to the effect on the United Kingdom rebate, for *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* thereafter. [35330]

Mrs. Browning: The latest available estimate of the total cost of BSE measures taken in the UK in 1996–97 is £1,037 million. In 1997–98 the cost is estimated to be £748 million and in 1998–99 £685 million.

Estimates for costs in 1999–2000 and subsequent years are not yet available.

After taking account of the net contribution from the EC and the reduction in our abatement, the costs of these measures to the UK taxpayer will be around £2 billion over the three-year period 1996 to 1999.

These costs take account of the measures covering compensation for cattle over 30 months, the new calf slaughter premium, the package of aid for renderers and the abattoir and cutting industries and additional running costs for the agricultural departments.

They do not include any estimate for the normal operation of market support measures or for any additional costs arising from the "accelerated slaughter" of cattle particularly at risk of developing BSE, for which precise estimates are not yet available.

Meat and Bone Meal Fertilisers

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the quantity of mammalian meat and bone meal fertilisers spread on land since August 1988. [31196]

Mrs. Browning: The information is not collected centrally. An industry estimate of the quantity of mammalian meat and bone meal fertilisers used is 4,000 tonnes per year, of which 10 per cent. was spread on agricultural land.

Dairy Cows

Mr. Cann: To ask the Minister of Agriculture, Fisheries and Food what reports he has received that dairy cows older than 30 months are being auctioned at markets for sums less than the Government slaughter compensation price, with particular reference to Holsworthy in north Devon. [33118]

Mr. Baldry: Compensation is paid by the Intervention Board to approved collection centres, which may be abattoirs or liveweight markets, when eligible animals are presented for slaughter at designated abattoirs. The scheme rules do not prevent producers from selling their animals at agreed prices below the compensation rate and I am aware that some have done so.

Listeria

Mr. Callaghan: To ask the Minister of Agriculture, Fisheries and Food if he will conduct an inquiry into listeria contamination of milk. [35060]

Mrs. Browning: I know of no grounds for such an inquiry. Proper heat treatment effectively destroys any listeria contamination in raw milk and the vast majority of milk undergoes a heat treatment. In addition, there are strict hygiene controls on production and processing of milk under the Dairy Products (Hygiene) Regulations 1995.

Packaging Waste

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the British Agrochemicals Association concerning the implementation of the packaging and packaging waste directive (94/92/EC). [34740]

Mr. Clappison: I have been asked to reply.

None. I intend to publish shortly a consultation paper on our proposals in this area and to send copies to business organisations, including the British Agrochemicals Association.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq and Iran

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions Her Majesty's Government have taken in respect of missing *(a)* Kuwaiti and Iranian prisoners of war in Iraq and *(b)* Iraqi prisoners of war in Iran; and if he will make a statement. [34030]

Mr. Hanley: We urge Iraq and Iran to fulfil their obligations under the relevant UN resolutions covering prisoners of war and support the work of the International Committee of the Red Cross. At meetings of the ICRC's tripartite commission and its technical sub-committee, we have repeatedly pressed the Iraqis about their failure to account for the Kuwaiti and other nationals detained in Iraq after the Gulf war and still unaccounted for.

Immigration

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what decision was taken on applications made to the British post in Islamabad by Tahira Jabeen, Fazal ur Rahman Hussain and Noor ur Rahman Hussain, Ref: Con/5267, for British passports; on what date the applications were made; on what date the Home Office in London was asked to make inquiries in the United Kingdom; on what date he received information about those inquiries; and if he will make a statement. [35232]

Mr. Hanley: No decision has been taken on the passport applications made by Tahira Jabeen, Fazal ur Rahman Hussain and Noor ur Rahman Hussain, to the British high commission in Islamabad. The three applications remain under consideration:

The applications were made on 13 December 1994 and the applicants interviewed on 2 October 1995.

Inquiries were made of the Home Office on 3 October 1995 and a response was received on 19 November 1995.

Visa Applications

Mr. Rendel: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for the issue of visas to Russian citizens to visit the United Kingdom were received by the British embassy in Moscow and the consulate in St. Petersburg, in each year from 1991 to 1994 and in the current year to date. [35235]

Mr. Hanley: Applications for United Kingdom visas received by the British embassy in Moscow and the British consulate general in St. Petersburg from 1991 to the present date were:

	Moscow	*St. Petersburg*
1991	57,834	Nil
1992	50,303	Nil
1993	61,367	1,429
1994	86,661	16,658
1995	95,850	18,059
1996	40,974	3,903

The 1996 figures for Moscow are correct as at 31 May 1996, and for St. Petersburg as at 31 March 1996. St. Petersburg started its entry clearance operation on 17 November 1993.

Kashmir

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of *(a)* the extent to which the elections held in Kashmir during May were properly conducted and were free and fair and *(b)* the accuracy of the official estimates of turnouts; and if he will make a statement. [35032]

Mr. Hanley *[holding answer 1 July 1996]:* Given the complex conditions in the Kashmir valley, we are not in a position to make a clear-cut evaluation of the conduct of the elections, or to say we agree or disagree with the official estimates of turnouts.

ATTORNEY-GENERAL

Appeal Court

Mr. William O'Brien: To ask the Attorney-General (1) how many cases referred to the Court of Appeal for sentence review in the last five years had the sentences *(a)* increased and *(b)* reduced; and if he will make a statement; [35311]

(2) how many sentences were referred to the Appeal Court for review in the last five years. [35351]

The Attorney-General: During the last five years 232 cases were referred to the Court of Appeal in England and Wales and 10 in Northern Ireland. Twelve were subsequently withdrawn in England and Wales and one in Northern Ireland. To date, 200 of those cases have been heard by the Court of Appeal. Sentence has increased in 172 cases out of 200 or 86 per cent. No case resulted in a reduced sentence.

PRIME MINISTER

Group of Seven Summit

Mr. Peter Atkinson: To ask the Prime Minister if he will make a statement on the outcome of the G7 summit at Lyon. [35352]

The Prime Minister: I attended the Lyon summit on 27 to 29 June with my right hon. and learned Friends, the Foreign Secretary and the Chancellor of the Exchequer.

I have placed in the Library of the House the communiqué, the chairman's statement and other statements and documents issued by the summit.

The summit started with a discussion of economic matters among the G7. In President Yeltsin's absence, we were joined by the Russian Prime Minister, Mr. Chernomyrdin, for a discussion of wider international issues. After the formal conclusion of the summit, we held a meeting with the United Nations Secretary-General and the heads of the International Monetary Fund, World bank and World Trade Organisation to discuss the role of the international institutions, in particular on development.

On the first evening we agreed and issued a declaration on terrorism, condemning the appalling attack in Dhahran and other recent terrorist outrages. We pledged ourselves to fight terrorism by all legal means and agreed that the relevant Ministers should meet in Paris in July to discuss further action. My right hon. and learned Friend the Home Secretary plans to lead the United Kingdom delegation.

Discussion of the world economy demonstrated the extent to which the United Kingdom's economic policy agenda is now shared by all our partners in the G7. Although growth has slowed in some countries since last year, it is picking up again. Unemployment remains higher than many of us would wish, particularly in continental Europe, but we agreed that the way to bring it down was by liberalising labour markets and through other supply side measures. This is reflected in the communique's endorsement of the conclusions of the G7 meeting in Lille earlier this year to discuss employment issues.

There was also consensus on the policies necessary to maintain international monetary stability. We endorsed the work done by Finance Ministers. Their report makes it clear that the key to stability is not management or fixing of exchange rates but sound domestic economic policies.

In Halifax last year we agreed steps to make the international financial institutions more effective. Many have now been taken and we welcomed the enhancement of the IMF's surveillance capacities and the agreement to increase the resources currently available to it under the general arrangement to borrow.

We recognised, however, the need to improve the co-operation between regulators of financial markets in the light of growth in the volume and speed of transactions. We agreed to study in more detail UK ideas for "lead regulators" of internationally active financial institutions. Officials will meet soon to discuss detailed proposals and Finance Ministers will report back to the Denver summit. We also agreed to co-operate more closely in combating financial crime.

We also reviewed progress in reforming the UN. Significant steps had been taken: 1,000 jobs have been cut, with high level posts reduced by 23 per cent.; these were 25 per cent. fewer staff than 10 years ago; and the 1996–97 budget incorporated a 10 per cent. cut in real terms. But much remains to be done and we agreed to review the situation at next year's summit. In particular, a rationalisation of the UN's role in development is necessary to avoid duplication and overlap between its various agencies.

Under President Chirac's theme of globalisation, and with valuable contributions from the heads of the IMF, World bank and UN, we looked at the problems of poorer countries and how they could best be helped. In particular, we focused on the countries of sub-Saharan Africa.

We agreed that in the long run no amount of aid would help unless these countries were willing to help themselves. Aid nevertheless has a crucial role to play, as long as it is effective. It must therefore continue to be conditional on sensible adjustment policies and good government. In particular, we agreed that bilateral donors should reinforce the international financial institutions' efforts to discourage unproductive expenditure by modifying their own aid and export credit policies. Aid should also be targeted at the poorest and focused on basic human needs such as health and education.

Following up initiatives originally launched by the UK, including ideas floated in 1994 in Valetta, the summit endorsed further steps to offer a number of highly indebted poor countries an exit from their unsustainable debt burdens. The IMF will offer more concessional lending from the enhanced structural adjustment facility, to be funded primarily by optimising the management of the IMF's own reserves. The World bank has offered to contribute in the order of $2 billion from its own resources to this initiative. We called on bilateral creditors to improve on the existing Naples terms which allow remission of up to 67 per cent. on a country's debts.

In discussion of trade, we reaffirmed our desire for further liberalisation on the agenda for the forthcoming meeting of World Trade Organisation Trade Ministers in Singapore, including new tariff initiatives. Many of us made clear to President Clinton our deep concern at recent US legislation of a extraterritorial nature relating to Cuba. Unilateral measures of this kind are a serious threat to an open world training system.

We discussed a wide range of global and political issues with Prime Minister Chernomyrdin. He briefed us on the prospects for the second round of the presidential elections in Russia. We welcomed the progress made on nuclear safety and security at the Moscow summit last April, and urged all countries to examine closely the 40 recommendations on combating transnational organised crime drawn up by our experts following the remit we gave them in Halifax.

There was considerable discussion of environmental issues, We agreed it was essential to maintain the impetus following from Rio and to play a positive role in the UN General Assembly's special session on the environment next June.

In pursuing non-proliferation, we affirmed our undertaking to conclude a comprehensive test ban treaty

by the start of the next session of the UN General Assembly. We also called on all states to make every effort to secure a global ban on the proliferation and indiscriminate use of anti-personnel land mines, and welcomed the bans already adopted by some countries, including the UK, on the production, use and export of these weapons.

A separate declaration was issued on Bosnia and Herzegovina which emphasised that the prime responsibility for implementations of the Dayton agreement lies with the different communities and their leaders, and underlined the importance of the elections due to take place on 14 September. These should take place on time, in free and fair conditions. We also made clear our insistence that Karadzic step down immediately and permanently from all public functions and take no part in governmental decisions. We reaffirmed the importance of all those indicted by the international war crimes tribunal appearing in The Hague for trial. We warned of the costs of non-compliance with Dayton in terms of sanctions and the availability of economic assistance. We also pledged our full support for Carl Bildt, the high representative, and for efforts to accelerate economic reconstruction in order to encourage co-operation and reconciliation between the different communities.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 2 July. [34385]

The Prime Minister: This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Ranjeet Matharu

Mr. Butcher: To ask the Prime Minister if he will order a review of the Crown prosecution papers on the case of the arrest of Ranjeet Matharu for the rape of a 19-year-old Swedish woman with a view to establishing how *(a)* the Crown Prosecution Service and *(b)* police procedures can be improved. [35101]

The Attorney-General: I have been asked to reply.

No review is possible of the case to which my hon. Friend refers because it arose in 1988–89 and in accordance with Crown Prosecution Service procedures the file would have been destroyed three years thereafter. It is the recollection of the police officer concerned with the case that lack of corroboration, which at that date required a specific warning to the jury, was an important factor on the decision not to proceed with charges of rape and buggery. The Government have since implemented in section 32 of the Criminal Justice and Public Order Act 1994 the recommendation of the royal commission on criminal justice that the rule that juries should be warned of the danger of convicting without corroboration in sexual offences should be abolished.

NORTHERN IRELAND

Deregulation

Mr. Steen: To ask the Secretary of State for Northern Ireland how many statutory measures his Department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996 which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35030]

Mr. Ancram *[holding answer 1 July 1996]:* This information is not available in the form requested. However, a list of regulations that have been repealed or amended was placed in the House Library by my right hon. Friend the Chancellor of the Duchy of Lancaster on 8 May.

SCOTLAND

Public Interest Immunity Certificates

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Strathkelvin and Bearsden, 17 May, *Official Report*, column *620*, if he will give for each public interest immunity certificate the legal event which led to its being issued; and which of the certificates is currently in force. [34824]

Lord James Douglas-Hamilton: The four public interest immunity certificates signed by the then Secretary of State for Transport and the one public interest immunity certificate signed by the then Home Secretary in relation to the fatal accident inquiry were prepared in relation to matters or documents which it was considered should not, in the public interest, be the subject of evidence during that inquiry. Those certificates were signed for the purpose of the fatal accident inquiry. In the event, none of these certificates was relied upon and the inquiry concluded in February 1991 without any of those certificates having been produced in response to any line of questioning.

The two certificates signed in April 1992 by the then Secretary of State for Transport and the one certificate signed by the then Lord Advocate related to the taking of evidence from Dr. Thomas Hayes under a letter of request issued in civil actions then being pursued in the United States. One of these certificates was withdrawn in May 1992 by the then Secretary of State for Transport because the matters to which it related had entered into the public domain by virtue of disclosures made in the United States from official sources. The two remaining certificates did not require to be deployed because the High Court in England ruled that it was not competent to take evidence from a former Crown servant in that capacity under the Evidence (Proceedings in Other Jurisdictions) Act 1975.

The final certificate signed in May 1992 by the then Lord Advocate related to the taking of evidence from a journalist under a letter of request issued in the aforementioned United States civil actions. This certificate also did not require to be deployed because the matter was referred to the High Court tin England but did not proceed to a hearing and the matter was not pursued by the parties to the United States actions.

Accordingly, all proceedings, in respect of which these certificates were signed, have been concluded.

Learning Disabilities (Residential Care)

Mr. Galbraith: To ask the Secretary of State for Scotland what is his Department's policy regarding residential and village communities for people with learning disabilities; what research he has commissioned to evaluate such facilities; and if he will make a statement. [34826]

Lord James Douglas-Hamilton: Residential and village communities are one of a range of residential options available for people with learning disabilities. Decisions on which of these is most appropriate should be taken on an individual basis. However, we await with interest the results of an evaluation of the various types of residential accommodation for people with learning disabilities which has been commissioned by my right hon. Friend the Secretary of State for Health.

European Funding

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will make a statement on progress in respect of the Barmac N166 site objective 1 application. [34834]

Mr. Kynoch: The approval of the European Commission is required under the terms of the seventh shipbuilding directive for public investment in Barmac's project, as it is presently constituted.

Since February, there have been a number of discussions and meetings between the company, officials of the Scottish Office and of the Department of Trade and Industry's shipbuilding unit and oil and gas projects supplies office. An informal meeting was held on 13 June between United Kingdom officials and the European Commission's Directorate General IV responsible for interpreting and enforcing the seventh shipbuilding directive, at which the Commission asked for clarification of certain issues before approval of the grant could be considered.

Overhead Electricity Lines

Mr. Wallace: To ask the Secretary of State for Scotland when he intends to make a decision on the application under the Electricity Act 1989 for necessary wayleave to keep installed an overhead line across land at Dalespot, St. Ola, Orkney; and if he will make a statement. [35268]

Mr. Kynoch: My right hon. Friend expects to announce his decision on Hydro-Electric's application for a wayleave to keep installed an overhead electricity line at Dalespot, St. Ola, Orkney shortly.

Cattle Slaughter

Mr. Redmond: To ask the Secretary of State for the Scotland if he will list the locations his Department is *(a)* using and *(b)* considering using for the storage of the remains of cattle aged 30 months or over following processing of carcases at rendering plants prior to final disposal; what is the estimated (i) maximum and (ii) minimum periods these remains will be at these storage sites; and if he will make a statement. [31550]

Mr. Raymond S. Robertson *[holding answer 17 June 1996]:* The rendered remains of cattle slaughtered in Scotland under the 30-month scheme are either stored on site by the rendering company concerned or at a storage facility in Liverpool provided by the Intervention Board for this purpose.

Other locations will be considered if, and when, additional storage facilities are required. As announced by my right hon. Friend, the Minister of Agriculture, Fisheries and Food on 16 April, a number of options for the disposal of meat and bone meal produced at plants are under active consideration and in all cases full weight will be given to protecting the environment. The options include incineration and energy recovery. The period of storage will vary between stores and will be dependent upon the final disposal route chosen.

Animal Welfare

Mr. Morley: To ask the Secretary of State for Scotland if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34298]

Mr. Raymond S. Robertson *[holding answer 25 June 1996]:* The main responsibility for animal welfare matters rests within the animal health and welfare branch of the Scottish Office Agriculture, Environment and Fisheries Department. The Department also provides administrative support to the state veterinary service in Scotland. Current posts with a direct involvement are as follows:

	Number
Senior Civil Service	1.0
Grade 7	1.0
HEO	1.0
EO	6.5
AO	10.0
AA	20.0
Personal Secretary/Typists	6.0

This does not include other officers, for example, more senior officers, lawyers, press officers and others, who may occasionally spend some of their time on animal welfare matters.

Mr. Morley: To ask the Secretary of State for Scotland if he will list the animal welfare issues for which his Department has responsibility. [34296]

Mr. Robertson *[holding answer 25 June 1996]:* The Department is responsible for all animal welfare issues as they apply to Scotland. This includes all aspects of farm livestock; domestic, captive and wild animals; zoo animals; and the ban on certain methods of killing or taking of birds and wild animals.

Mr. Morley: To ask the Secretary of State for Scotland if he will list *(a)* United Kingdom legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility. [34297]

Mr. Robertson *[holding answer 25 June 1996]:* The information requested is as follows:

DOMESTIC LEGISLATION

Welfare of Animals on Farm

Docking and Nicking of Horses Act 1949 (Ch. 70);

The Protection of Animals (Anaesthetics) Act 1954 and 1964 (Ch. 46 and Ch. 39);

Veterinary Surgery (Exemptions) Order 1962 (SI 1962 No. 2557);

Veterinary Surgeons Act 1966 (1966 Ch. 36);

Agriculture (Miscellaneous Provisions) Act 1968 (1968 Ch 34);

Veterinary Surgery (Exemptions) Order 1973 (SI 1973 No. 308);

The Docking of Pigs (Use of Anaesthetics) Order 1974 (SI 1974 No. 798);

The Welfare of Livestock Deer Order 1980 (SI 1980 No. 593);

The Removal of Antlers in Velvet (Anaesthetics) Order 1980 (SI 1980 No. 685);

The Welfare of Livestock (Prohibited Operations) Regulations 1982 (SI 1982 No. 1884);

The Protection of Animals (Anaesthetics) (Amendment) Order 1982 (1982 No. 1626);

Veterinary Surgery (Exemptions) (Amendment) Order 1982 (SI 1982 No. 1627);

The Welfare of Livestock (Prohibited Operations) (Amendment) Regulations 1987 (SI 1987 No. 114);

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1988 (SI 1988 No. 526;

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1991 (SI 1991 No. 1412;

The Welfare of Livestock Regulations 1994 (SI 1994 No. 2126).

Welfare of Animals at Market

The Welfare of Animals at Markets Order 1990 (SI 1990 No. 2628);

The Welfare of Animals at Markets (Amendment) Order 1993 (SI 1993 No. 3085);

The Welfare of Horses at Markets (and Other Places of Sale) Order 1990 (SI 1990 No. 2627).

Welfare of Animals During Transport

The Transit of Animals Order 1927 (SI 1927 No. 289);

The Transit of Animals (Amendment) Order 1927 (SI 1927 No. 399);

The Animals (Sea Transport) Amendment Order 1930 (SI 1930 No. 923);

The Transit of Animals (Amendment) Order 1931 (SI 1931 No. 750);

The Transit of Animals (Sea Transport) (Amendment) Order 1932 (SI 1932 No. 4984);

The Transit of Animals (Amendment) Order 1939 (SI 1939 No. 5842);

The Horses (Sea Transport) Order (SI 1952 No. 1291);

The Horses (Sea Transport) Order 1958 (SI 1958 No. 1272);

The Export of Horses (Veterinary Examination) Order 1966 (SI 1966 No. 507);

The Export of Horses (Excepted Cases) Order 1969 (SI 1969 No. 1742);

The Export of Horses (Protection) Order 1969 (SI 1969 No. 1784);

The Transit of Animals (General) Order 1973 (SI 1973 No. 1377);

The Transit of Animals (Road and Rail) Order 1975 (SI 1975 No. 1024);

The Importation of Animals Order 1977 (SI 1977 No. 944);

The Export of Horses and Ponies (Increase in Minimum Values) Order 1978 (SI 1978 No. 1748);

The Transit of Animals (Road and Rail) (Amendment) Order 1979 (SI 1979 No. 1013);

The Export of Animals (Protection) Order 1981 (SI 1981 No. 1051);

The Transit of Animals (Amendment) Order 1988 (SI 1988 No. 815);

The Welfare of Poultry (Transport) (Amendment) Order 1989 (SI 1989 No. 52);

The Welfare of Animals During Transport Order 1994 (SI 1994 No. 3249);

The Welfare of Animals During Transport (Amendment) Order 1995 (SI 1995 No. 131).

Welfare of Animals at Slaughter

The Welfare of Animals (Slaughter or Killing) Regulations 1995 (SI 1995 No. 731).

Other Legislation which have Welfare Implications

The Animals (Miscellaneous Provisions) Order 1927 (SI 1927 No. 290);

The Animals (Miscellaneous Provisions) Order 1938 (SI 1938 No. 5674);

Agricultural (Miscellaneous Provisions) Act 1976 (Ch. 55);

Animal Health Act 1981 (Ch. 22);

Animal Health Act 1981 (Amendment) Regulations 1992 (SI 1992 No. 3293);

Protection of Animals (Scotland) Act 1912 (as amended);

Performing Animals (Regulation) Act 1925;

Protection of Animals Act 1934;

Pet Animals Act 1951 (as amended);

Cockfighting Act 1952;

Abandonment of Animals Act 1960;

Animals (Cruel Poisons) Act 1962;

Animal Boarding Establishments Act 1963;

Riding Establishments Acts 1964 and 1970;

Conservation of Seals Act 1970;

Breeding of Dogs Acts 1973 and 1991;

Farriers (Registration) Acts 1975 and 1977;

Animals (Scientific Procedures) Act 1986;

Protection Against Cruel Tethering Act 1988;

Deer Act 1991;

Protection of Badgers Act 1992;

Wild Mammals (Protection) Act 1996;

Game (Scotland) Acts 1772 and 1832;

Night Poaching Acts 1828 and 1844;

Hares (Scotland) Act 1848;

Games Licences Act 1860;

Poaching Prevention Act 1862;

Ground Game Act 1880 (as amended);

Hares Preservation Act 1892;

Dangerous Dogs Acts 1989 and 1991;

Dangerous Wild Animals Act 1976.

EC LEGISLATION

EC Directive 88/166 Laying Down Minimum Standards for the Protection of Laying Hens Kept in Battery Cages;

EC Directive 91/628 on the Protection of Animals During Transport;

EC Directive 91/629 Laying Down Minimum Standards for the Protection of Calves;

EC Directive 91/630 Laying Down Minimum Standards for the Protection of Pigs;

EC Directive 93/119 on the Protection of Animals at the Time of Slaughter or Killing;

EC Directive 95/29 Amending EC Directive 91/628 on the Protection of Animals During Transport;

EC Directive 86/609 on the Approximation of Laws, Regulations and Administrative Provisions of the Member States Regarding the Protection of Animals Used for Experimental and Other Scientific Purposes (and subsequent amendments).

EUROPEAN CONVENTIONS

European Convention for the Protection of Animals Kept for Farming Purposes;

European Convention for the Protection of Animals During International Transport;

European Convention for the Protection of Animals for Slaughter;

European Convention for the Protection of Vertebrate Animals used for Experimental and Other Scientific Purposes;

European Convention for the Protection of Pet Animals.

National Lottery

Sir Hector Monro: To ask the Secretary of State for Scotland what are his plans for the development of policy on the distribution of lottery proceeds. [35631]

Mr. Michael Forsyth: I am writing today to the chairmen of the Scottish lottery distributing bodies to consult them on a change to the policy directions issued to the Scottish Arts Council under section 26(1) of the National Lottery etc. Act 1993. This would allow an amount of revenue funding to help arts organisations gain long-term financial viability, in a way which would not substitute for existing grant in aid.

The programme would aim to help arts organisations consider and in some cases change their objectives and the markets within which they operate; inject new creative, technical and managerial skills into the organisations to help them achieve their objectives; provide balance sheet stability; and deliver better value for money.

The consultation which I have launched will last until 23 August. I will then consider the responses to the consultation process, with a view to announcing any change to the directions as soon as possible.

LORD PRESIDENT OF THE COUNCIL

Lincolnshire Councils

Mr. Michael Brown: To ask the Lord President of the Council when borough status will be awarded to the North Lincolnshire and North East Lincolnshire councils. [33954]

Mr. Newton: Subject to the resolution of certain outstanding issues, it is hoped that the petitions for the grant of charters conferring borough status on the North East Lincolnshire and North Lincolnshire district councils can be submitted to Her Majesty the Queen later this month.

Ministerial Visits

Mr. Harvey: To ask the Lord President of the Council if he will list the constituencies he has visited in the past three months on official business and the constituencies he intends to visit in the next three months; and if he will make a statement. [34359]

Mr. Newton: On 5 April I visited the Merton drug action team, which covers my hon. Friends' constituencies of Mitcham and Morden and of Wimbledon. I have no plans to visit other hon. Members' constituencies on official business in the next three months.

Written Answers to Questions

Wednesday 3 July 1996

HOME DEPARTMENT

Civil Servants (Duties Abroad)

Mr. Donohoe: To ask the Secretary of State for the Home Department how much his Department spent during the financial years 1994–95 and 1995–96 on sending civil servants accompanying Ministers from his Department on official duties abroad. [32411]

Mr. Howard: The readily available records do not list the officials who accompanied Ministers on overseas visits during the period in question and this information cannot be provided without incurring disproportionate costs. The available information on costs of accompanying officials is as follows:

1994–95: £23,249 (grade 2s and private secretaries)

1995–96: £28,753 (private secretaries)

Prisoners' Records

Mr. Cann: To ask the Secretary of State for the Home Department what action he has taken since March to ensure that the Prison Service has in place by the end of 1996 a database whereby the medical records of sentenced and remand prisoners follow the prisoner and are accessible to all those staff involved in the penal system. [34604]

Miss Widdecombe: The Prison Service is committed to introducing a computerised system for tracking medical records of the kind recommended in the report of the independent inquiry into the case of Jason Mitchell. Since March, 44 prisons have begun to introduce systems of this kind. Completion of this work will extend beyond October 1996 and will be dependent upon the availability of resources.

Prison Incidents

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list the dates, number and types of incidents involved reported to the Prison Service since 1 January in relation to *(a)* the Wolds prison and *(b)* Doncaster prison. [35011]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question asking to list the dates, number and types of incidents involved reported to the Prison Service since 1 January in relation to (a) the Wolds prison and (b) Doncaster prison.

The information requested to 22 June 1996 is shown in the attached tables.

Table A: HMP Wolds

Date	*Incident type*
2 January 1996	Fire
7 January 1996	Assault
7 January 1996	Assault
9 January 1996	Miscellaneous
9 January 1996	Tool loss
12 January 1996	Temporary release failure
13 January 1996	Assault
13 January 1996	Suicide
19 January 1996	Assault
23 January 1996	Assault
27 January 1996	Miscellaneous
20 January 1996	Death
31 January 1996	Self harm
1 February 1996	Self harm
1 February 1996	Temporary release failure
5 February 1996	Assault
15 February 1996	Assault
15 February 1996	Assault
18 February 1996	Assault
24 February 1996	Miscellaneous
28 February 1996	Miscellaneous
29 February 1996	Miscellaneous
29 February 1996	Fire
3 March 1996	Assault
8 March 1996	Miscellaneous
15 March 1996	Assault
16 March 1996	Self harm
17 March 1996	Assault
19 March 1996	Assault
21 March 1996	Self harm
4 April 1996	Miscellaneous
9 April 1996	Assault
9 April 1996	Assault
10 April 1996	Assault
11 April 1996	Assault
12 April 1996	Assault
14 April 1996	Assault
16 April 1996	Self harm
17 April 1996	Assault
20 April 1996	Assault
20 April 1996	Fire
2 May 1996	Assault
2 May 1996	Temporary release failure
6 May 1996	Assault
7 May 1996	Fire
7 May 1996	Assault
18 May 1996	Assault
27 May 1996	Miscellaneous
29 May 1996	Miscellaneous
30 May 1996	Assault
7 June 1996	Miscellaneous

Totals
Assaults: 26
Self harm: 5
Death: 1
Fire: 4
Miscellaneous: 10
Suicide: 1
Tool loss: 1
TRF: 3

In addition, there were 85 reported incidents of Drug/Drug Implement finds at HMP Wolds giving a total of 136 incidents.

Table B: HMP Doncaster

Date	*Incident type*
1 January 1996	Assault
1 January 1996	Assault
2 January 1996	Assault
4 January 1996	Assault
5 January 1996	Assault

Table B: HMP Doncaster

Date	*Incident type*
6 January 1996	Assault
8 January 1996	Self harm
8 January 1996	Fire
9 January 1996	Assault
11 January 1996	Assault
12 January 1996	Assault
14 January 1996	Assault
16 January 1996	Assault
17 January 1996	Fire
21 January 1996	Self harm
23 January 1996	Assault
23 January 1996	Assault
23 January 1996	Assault
24 January 1996	Miscellaneous
27 January 1996	Self harm
28 January 1996	Assault
28 January 1996	Self harm
28 January 1996	Self harm
29 January 1996	Assault
31 January 1996	Assault
1 February 1996	Assault
1 February 1996	Assault
1 February 1996	Assault
1 February 1996	Assault
2 February 1996	Self harm
7 February 1996	Assault
9 February 1996	Self harm
11 February 1996	Assault
12 February 1996	Assault
15 February 1996	Assault
16 February 1996	Assault
20 February 1996	Assault
23 February 1996	Assault
28 February 1996	Assault
2 March 1996	Assault
4 March 1996	Assault
8 March 1996	Assault
13 March 1996	Assault
14 March 1996	Assault
17 March 1996	Assault
21 March 1996	Assault
24 March 1996	Assault
27 March 1996	Assault
28 March 1996	Assault
30 March 1996	Assault
31 March 1996	Assault
31 March 1996	Assault
2 April 1996	Assault
4 April 1996	Assault
6 April 1996	Assault
8 April 1996	Assault
14 April 1996	Assault
14 April 1996	Assault
14 April 1996	Assault
17 April 1996	Food refusal
19 April 1996	Assault
19 April 1996	Assault
20 April 1996	Assault
20 April 1996	Assault
21 April 1996	Assault
24 April 1996	Assault
28 April 1996	Assault
29 April 1996	Fire
30 April 1996	Food refusal
30 April 1996	Fire
1 May 1996	Assault
2 May 1996	Assault
2 May 1996	Assault
3 May 1996	Assault
5 May 1996	Assault
7 May 1996	Assault
10 May 1996	Assault
10 May 1996	Assault

Table B: HMP Doncaster

Date	*Incident type*
12 May 1996	Assault
15 May 1996	Assault
16 May 1996	Suicide
16 May 1996	Assault
29 May 1996	Assault
1 June 1996	Self harm
9 June 1996	Assault
11 June 1996	Assault
11 June 1996	Assault
12 June 1996	Assault
12 June 1996	Assault
12 June 1996	Assault
13 June 1996	Assault
14 June 1996	Assault
14 June 1996	Fire
17 June 1996	Assault

Totals
Assaults: 77
Self harm: 8
Fire: 5
Food refusal: 2
Miscellaneous: 1
Suicide: 1

In addition, there were 252 reported incidents of Drug/Drug Implement finds at HMP Doncaster giving a total of 346 incidents.

Police Boxes

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will re-introduce police boxes in England. [34997]

Mr. Maclean: This is an operational decision for chief officers of police. I have no plans to do so.

Prisoners (Releases)

Mr. Callaghan: To ask the Secretary of State for the Home Department how many prisoners were discharged from prison without permanent accommodation in which to live during the last year for which figures are available. [35054]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Jim Callaghan, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners discharged from prison without permanent accommodation in which to live.

The information is not collected and can be provided only at disproportionate cost.

Prisoners (Literacy)

Mr. Straw: To ask the Secretary of State for the Home Department (1) what research he has *(a)* commissioned and *(b)* evaluated on the level of literacy of young offenders in Prison Service establishments; [35022]

(2) what research he has *(a)* commissioned and *(b)* evaluated on the level of literacy of (i) those receiving custodial sentences for the first time and (ii) the prison population as a whole. [35021]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Jack Straw, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Questions about research (a) commissioned and (b) evaluated on the level of literacy of offenders in Prison Service establishments.

There is currently no research underway that we have commissioned on the levels of literacy of those receiving custodial sentence for the first time, on the level of literacy of young offenders, or on the prison population as a whole.

The most recent published survey of offenders admitted to young offender establishments was conducted in 1985.

The Prison Service has plans for a basic literacy screening test for all prisoners to be introduced as part of the planned national curriculum for prison education.

Wolds Prison

Mr. Redmond: To ask the Secretary of State for the Home Department (1) how many prison officers have been seconded during the last 12 months to the Wolds prison; from what prison establishment they came; and if Her Majesty's inspectorate of prisons was informed of the seconded prison officers working at the Wolds prison when it visited the prison; [34971]

(2) how many times during the last 12 months prison officers were required to work a double shift at the Wolds prison; and what was the reason for the requirement; [35007]

(3) how many prison officers have been seconded during the last 12 months from the Wolds prison; to which prison establishments they went; and if Her Majesty's inspectorate of prisons was informed of the Wolds seconded prison officers when it visited the prison. [35013]

Miss Widdecombe: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Questions about staffing at Wolds prison.

There is no record of any member of staff at Wolds prison working double shifts during the last 12 months, and no prison officers have been seconded to work at the Wolds prison since it became operational in April 1992.

Four members of staff from the Wolds prison were on detached duty at Buckley Hall prison in April. They were deployed to support their colleagues at Buckley Hall following a disturbance and to offer advice about systems and procedures. There was no visit by Her Majesty's Inspector of Prisons to Buckley Hall prison at this time, and there has been no visit by Her Majesty's Inspectorate of Prisons to Wolds prison over the last 12 months.

Council of Ministers (Financial Convention)

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department when he expects to ratify the convention on the protection of financial interests of the Council of Ministers; and how this convention will be enforced. [34888]

Mr. Howard: The European Union convention on the protection of the European Communities' financial interests cannot be ratified by the United Kingdom until part I of the Criminal Justice Act 1993, which extends the courts' jurisdiction over certain fraud and dishonesty offences where a significant element of the offence is committed within the United Kingdom, is in force. We are currently considering the practicalities of bringing part I into force and it is not at present possible to specify a date for ratification. For Scotland, some changes to primary legislation may also be required. The convention comes into force only after all 15 European Union member states have ratified it; none has so far done so. Enforcement will be a matter for the Council of Ministers.

Dogs

Mr. Gale: To ask the Secretary of State for the Home Department when he intends to give instructions for those dogs currently held by the Metropolitan police under the Dangerous Dogs Act 1991, and in respect of which charges have either been dropped or not brought, to be returned to their lawful owners. [35084]

Mr. Sackville: This is an operational matter for the Commissioner of Police of the Metropolis.

Prison Costs Review

Mr. George Howarth: To ask the Secretary of State for the Home Department what was the cost to public funds of the review of comparative costs and performance of privately and publicly operated prisons produced by Coopers and Lybrand; and from which budget these costs were met. [35133]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. George Howarth, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question asking what was the cost to public funds of the Review of Comparative Costs and Performance of Privately and Publicly Operated Prisons produced by Coopers and Lybrand; and from which budget these costs were met.

The cost was £50,048 including VAT, which was met from the budget of the Director of Finance, which includes provision for research and consultancy.

Next Steps Agencies

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will list the rates of pay awarded by grade to employees in each of the next steps agencies under his Department's control. [35132]

Mr. Howard: Pay rates in the Prison Service, Forensic Science Service, United Kingdom Passport Agency and the Fire Service College are negotiated by them, and full details are not held centrally. Each chief executive will write to the hon. Member with the information requested.

Prisons (Hepatitis)

Mr. Gerrard: To ask the Secretary of State for the Home Department what steps are being taken to minimise the spread of hepatitis B and C in prisons in England and Wales. [35441]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question about steps being taken to minimise the spread of hepatitis B and C in prisons in England and Wales.

Hepatitis is a notifiable disease and acute cases of hepatitis are notified to the Consultant in Communicable Disease Control who provides advice on the management of cases and of outbreaks.

Multidisciplinary HIV teams set up in prison establishments are in the process of receiving further training to orientate them to the other communicable diseases which are important in the prison context. These teams are to be proactive in implementing communicable disease education and prevention programmes at a local level. HIV counsellors in prison are also receiving further training to orientate their skills to prevention of these other communicable diseases, including hepatitis.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many prisoners in England and Wales currently have hepatitis B or C. [35440]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question on how many prisoners in England and Wales currently have cases of hepatitis B or C.

Provisional figures from 126 establishments indicate that on the 31 April 1996 the following numbers of inmates were known to have hepatitis:

	Number
Acute Heptatis B	6
Chronic Hepatitis B	53
Hepatitis B with surface antigen positive	29
Acute Hepatitis C	24
Chronic Hepatitis C	153

Video Evidence

Mrs. Clwyd: To ask the Secretary of State for the Home Department if he will now implement the outstanding recommendations of the report of the advisory group on video evidence chaired by Judge Thomas Pigot. [35364]

Mr. Maclean: We have implemented the majority of the recommendations made by the advisory group on video evidence, but we are not persuaded that the proposals for pre-trial cross-examination are in the best interests of children. We will keep those recommendations and the proposal to extend the child evidence measures to vulnerable adult witnesses under review in the light of our further work to secure practical improvements in the present arrangements for children to give evidence.

Race Relations

Ms Estelle Morris: To ask the Secretary of State for the Home Department what representations he has received in relation to funding arrangements under section 11 of the Local Government Act 1966; and how many of these expressed concern at delay in announcing what future arrangements will be made. [35430]

Mr. Kirkhope: The detailed information requested is not readily available. We have, however, received a substantial number of representations in writing and by telephone.

We hope to be able to make an announcement about future funding very shortly.

Prisoners

Mr. Tipping: To ask the Secretary of State for the Home Department how many *(a)* male and *(b)* female prisoners were held by the Prison Service on (i) 27 May 1993 and (ii) 27 May 1996. [35040]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Paddy Tipping, dated 3 July 1996:

The Home Secretary has asked me to reply to your recent Question about the number of male and female prisoners being held by the Prison Service on (i) 27 May 1993 and (ii) 27 May 1996.

On 31 May 1993, the nearest date to 27 May for which information is available, 42,091 male and 1,494 female prisoners were being held by the Prison Service; on 27 May 1996, 52,003 males and 2,203 females were being held.

HEALTH

Mental Health

Mr. Cann: To ask the Secretary of State for Health what action he has taken to review the Mental Health Act 1983, with particular reference to the mental health review tribunal system. [34598]

Mr. Bowis: None where the Act is concerned.

Mr. Cann: To ask the Secretary of State for Health what action he has taken since March to inform mental health review tribunal members of the clinical outcomes for patients following discharge decisions. [34625]

Mr. Bowis: Mental health review tribunal regional chairmen monitor decisions made by tribunals in their regions and always review those where a serious offence has taken place shortly after discharge by a tribunal. In-depth research is shortly to commence into decision making and outcomes of tribunals.

Alternative Therapies

Mr. Callaghan: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated into alternative therapies as a means of reducing the cost of the NHS. [35061]

Mr. Horam: We are aware of one such study, on manipulation for back pain.

Hospital Building (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for Health if he will update the list of hospital building schemes in Buckinghamshire contained in his answer of 6 June 1995, *Official Report*, column *33-34*; and if he will make a statement. [34944]

Mr. Horam: The information is shown in the tables.

Completed schemes

Project/scheme	*Completed date*	*Cost*[1] *(£)*	*Updated cost (£)*
Amersham—Dermatology unit	21 January 1994	2,581,694	3,207,215
Amersham operating theatres	21 June 1983	1,333,653	1,880,451
Amersham phase 1	22 July 1991	6,193,487	7,338,501
Buckingham phase 1	16 February 1990	1,263,502	1,583,589
Milton Keynes DGH—end unit	24 September 1992	1,202,638	1,437,050
Milton Keynes DGH-OPD	13 November 1989	3,578,463	4,294,156
Milton Keynes DGH—phase 1	12 September 1983	15,638,544	20,045,770
Milton Keynes DGH—phase 2	21 August 1991	17,810,043	21,372,052
St. Johns EMI	11 March 1991	1,816,779	1,849,573
Stoke Mandeville—maternity	5 May 1991	6,030,648	6,139,504
Stoke Mandeville–OPD/hospice	18 July 1989	1,598,049	1,959,347
Stoke Mandeville—pathology	5 May 1989	1,545,574	1,937,119
Stoke Mandeville—X-ray	10 July 1987	1,287,006	1,695,961
Tindal MIO Development	7 May 1991	3,831,237	3,485,190
Tweed Drive-nursing home	2 August 1988	1,224,958	1,216,332
Wycombe pathology	5 July 1985	1,314,300	1,807,964
Wycombe X-ray extensions and alterations	16 September 1994	2,074,436	2,554,546
Milton Keynes—security unit phase 2	14 February 1995	1,918,847	2,236,012
Aylesbury Manor house rehabilitation unit	30 June 1995	1,520,819	1,695,142
Totals		76,259,941	90,933,949

[1] Includes construction costs, fees and equipment, information is not available centrally on total for schemes, for example VAT and land purchase costs are excluded.
DGH=district general hospital.
EMI=elderly mentally infirm.
OPD=out-patients department.
MI=mental illness.

Planned schemes

Project/Scheme	*Forecast completion date*	*Estimated cost (£)*
Stoke Mandeville hospital redevelopment	Being readvertised	32,000,000
Aylesbury Vale mental health intensive care unit	April 1998	1,800,000
Amersham and High Wycombe redevelopment (South Bucks)	April 1998	38,000,000
Total		71,800,000

Under construction

Project/Scheme	*Forecast completion date*	*Estimated cost (£)*
Stoke Mandeville hospital enabling works	5 July 1996	1,097,337

Employment of Children

Mr. Ian McCartney: To ask the Secretary of State for Health when the results of his consultation on laws governing the employment of children will be published; and if he will ensure that all submissions by those organisations consulted will be placed in the Library. [35252]

Mr. Bowis: We will announce our decisions in due course.

Consultant Posts (Advertising)

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to his answer of 25 June, *Official Report*, column *86*, if he will collect statistics on the number of NHS trusts which *(a)* have advertised and *(b)* plan to advertise outside the United Kingdom to recruit consultants in each specialty. [35317]

Mr. Malone: I have no such plans.

Child Abuse Inquiries

Mr. Milburn: To ask the Secretary of State for Health what was the total cost to public funds of *(a)* the inquiry into child abuse in Cleveland in 1987 and *(b)* the report by Lord Justice Butler-Sloss. [35129]

Mr. Bowis *[holding answer 1 July 1996]:* The total expenditure incurred by the Department of Health in respect of the Cleveland inquiry, including the report by Lord Justice Butler-Sloss, was about £1.25 million.

ENVIRONMENT

Local Government (Building Control)

Mr. William O'Brien: To ask the Secretary of State for the Environment what assessment he has made of the levels of competition in building control practices in local government; and if he will make a statement. [35074]

Mr. Clappison: My right hon. Friend's views are reflected in the Department of the Environment circular 1/96, which was issued on 25 March 1996. As is made clear in the circular, it is recognised that it is just a small minority of local authorities whose practices warranted the issue of what is essentially a guide to good practice.

Mr. O'Brien: To ask the Secretary of State for the Environment what response he has received to his circular on local authority building control and related services, approved inspectors and uncompetitive practices; and if he intends to publish a report on the response. [35075]

Mr. Clappison: Since the circular was issued, a small number of letters has been received from local authorities. It is not intended to publish a report on the response.

Mr. O'Brien: To ask the Secretary of State for the Environment if he will make a statement on the effects of ceasing to charge VAT on building regulations on the work of local authority planning departments. [35076]

Mr. Clappison: It is not the case that local authorities no longer charge VAT on building regulation applications. They continue to charge VAT on the basis of whether or not the type of building work which is to be controlled under the Building Regulations 1991 is subject to competition by private approved inspectors. NHBC Building Control Services Ltd. is currently the only approved inspector. Following recent changes, it may now control developments containing dwellings of any height as well as those containing mixed uses, as prescribed in its approval. Local authorities therefore need to identify building control work which is subject to competition and to charge VAT on it if the applicant chooses to use the local authority's service. Work which is not the subject of competition by approved inspectors will continue not to be subject to VAT.

Waste Management Planning Scheme

Mr. Steen: To ask the Secretary of State for the Environment if he will make a statement regarding the waste management planning scheme and how it affects the recycling of non-ferrous metals. [34681]

Mr. Clappison: I refer my hon. Friend to the reply I gave him yesterday, 2 July, *Official Report*, columns *398–99*.

Hospital Development, South Norfolk

Mr. Garrett: To ask the Secretary of State for the Environment, pursuant to his oral statement of 20 June, *Official Report*, columns 1011–13, on city centre development, if he will call in the proposed hospital development at Colney in the South Norfolk district. [34964]

Sir Paul Beresford: No. The adopted local plan makes specific provision for a new hospital at Colney. We consider that the local planning authority is best placed to decide the planning application and to impose any conditions it thinks necessary in the light of local concerns about accessibility.

Marine Environment

Ms Ruddock: To ask the Secretary of State for the Environment (1) what monitoring is undertaken by his Department of the effects of cumulative discharges to the marine environment from offshore oil and gas installations on marine wildlife and habitats; [35463]

(2) what action is undertaken by his Department to ensure that cumulative discharges to the marine environment from offshore oil and gas installations do not damage marine wildlife and habitats. [35464]

Mr. Clappison: Most offshore oil installations are in Scottish waters. The Scottish Office marine laboratory carries out monitoring to assess the impact on the marine environment of discharges of oily water, oil contaminated drill cuttings and process chemicals. More generally, marine laboratories of the Ministry of Agriculture, Fisheries and Food maintain an extensive monitoring programme to identify any harmful effects of human activities on the marine environment. Information from both programmes is utilised by the Department of the Environment to assess the need for, and formulation of, national and international guidelines. Overall regulation of the offshore industry is by the Department of Trade and Industry.

Ms Ruddock: To ask the Secretary of State for the Environment when he intends to publish guidance on the implementation of the global programme of action on the protection of the marine environment from land-based activities. [35465]

Mr. Clappison: The global programme of action for the protection of the marine environment from land-based activities reflects the approach already being adopted on this important issue throughout the United Kingdom, and by other estates in north-west Europe, in line with both North sea conference commitments and the requirements of the 1992 Paris convention—OSPAR. This provides a comprehensive framework for protection of the marine environment of the north-east Atlantic from both sea-based and land-based activities. The UK guidance note on the fourth North sea conference was published yesterday; I believe that the publication of further guidance is unnecessary at this stage.

Ms Ruddock: To ask the Secretary of State for the Environment what progress has been made in the last 12 months in respect of the commitments given in the fourth North sea declaration agreed in Esbjerg, Denmark; and if he will make a statement. [35467]

Mr. Clappison: I refer the hon. Member to the reply given yesterday by my hon. Friend the Minister for Construction, Planning and Energy Efficiency to my hon. Friend the Member for Westbury (Mr. Faber) *Official Report*, column *400*.

Drinking Water

Mr. Jacques Arnold: To ask the Secretary of State for the Environment when the sixth annual report of the drinking water inspectorate will be published. [35610]

Mr. Gummer: The drinking water inspectorate published its sixth annual report today. Once again, it shows that drinking water in England and Wales is of a very high quality. In 1995, 99.5 per cent. of the 3.2 million tests carried out by water companies on drinking water met the relevant standard, compared with 99.3 per cent. in 1994.

The report provides a detailed picture of water quality in England and Wales which has been tested against the stringent criteria of the water quality regulations, which incorporate the limits in the EC drinking water directive.

The inspectorate also published today two leaflets for consumers. "How Good is Your Drinking Water?" summarises the main points of the report. "About Your Water Company" gives brief details of the quality of drinking water supplied by individual water companies.

Copies of the report and leaflets have been placed in the Library of the House.

Planning Guidance (New Settlements)

Sir Peter Emery: To ask the Secretary of State for the Environment if he will make a statement on his Department's planning guidance on the size of new settlements. [35834]

Mr. Robert B. Jones: The objective of planning policy is sustainable development. The planning guidance on new settlements contained in both PPG3 and PPG13 points out that a reasonable degree of self-containment, thereby avoiding reliance on the use of private cars, can often be a feature of larger settlements. The community's daily needs, such as employment, schooling and shopping, should mostly be available locally and within easy reach. Therefore, the location of such settlements should seek to maximise existing or potential public transport links.

However, the context of new settlements is also important, and smaller settlements may form part of a wider network that offers benefits comparable to larger settlements. New settlements should therefore be designed to reflect local circumstances, including the patterns of towns and villages in an area. Smaller new settlements may be appropriate where they address both issues of context and sustainability.

When we come to revise PPG13, we shall be making this clear. Meanwhile, the planning system will be operated to ensure that, should new settlements be proposed, the judgment will be made on the context and the need for sustainable development. In the right circumstances, this may well mean that the establishment of a small new community of even a few hundred may be the best answer.

Sustainable Development

Mr. Congdon: To ask the Secretary of State for the Environment when the Government intend to respond to the United Kingdom round table on sustainable development's first annual report. [35906]

Mr. Gummer: The Government have today formally published their response to the first annual report of the United Kingdom round table on sustainable development. Copies have been placed in the Library.

The Government are encouraged by the progress the round table has made in its first year in exploring its method of working and in reviewing some major sectors of development.

The Government hope that their response to the round table's report will contribute to the continuing informed debate about reconciling economic development and environmental protection and enhancement.

FOREIGN AND COMMONWEALTH AFFAIRS

Lockerbie

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proceedings before the International Court of Justice in respect of the opinions of the United Kingdom and Libya regarding the applicability of the Montreal convention, article 14, to the bombing of Pan Am 103 over Lockerbie. [35301]

Sir Nicholas Bonsor: The UK has entered preliminary objections which question the admissibility of the claims brought against it by Libya and the international court's jurisdiction to hear these claims. The court will decide on these preliminary objections in due course. Under the court's rules, the pleadings remain confidential, so it is not possible to reveal any further details.

Nuclear Policy

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the implications for the United Kingdom's defence policy of United States co-operation in nuclear matters with *(a)* Russia, *(b)* China and *(c)* France. [35431]

Mr. David Davis: Bilateral co-operation between the United States and other countries is a matter for the Government concerned. The United Kingdom will continue to maintain very close co-operation with the United States across the range of defence matters.

Indonesian Pilots

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs how many visas have been granted to Indonesian pilots to visit the United Kingdom to receive training from the Royal Air Force in each year from 1990 to 1995 inclusive, and since 1 January 1996. [35421]

Mr. Hanley: Details of military assistance are confidential between Governments.

NATIONAL HERITAGE

National Lottery Distribution Fund

Dr. John Cunningham: To ask the Secretary of State for National Heritage how much money is currently held in the national lottery distribution fund; and if the interest on that amount is taxed. [35327]

Mrs. Virginia Bottomley: As at 30 June 1996, the balance in the national lottery distribution fund was £1,882,300. Interest on the balance is added to the sums available for the good causes. It is not taxed.

Buckingham Palace

Mr. David Shaw: To ask the Secretary of State for National Heritage what the arrangements will be for opening Buckingham palace once the restoration of Windsor castle is completed. [35822]

Mrs. Virginia Bottomley: The then Secretary of State announced to the House on 29 April 1993, *Official Report*, columns *514–15*, that the Queen had decided to

open parts of Buckingham palace housing important items of the royal collection to the public and that income from admission charges would be given by the Royal Collection Trust towards the cost of restoring Windsor castle. The Government welcome the financial contribution which has been made towards the cost of the restoration of the fire damaged areas of Windsor castle. This has provided a considerable saving to the taxpayer. This arrangement will continue until the restoration is completed.

The Royal Collection Trust announced today that the Queen has decided to extend the opening of Buckingham palace beyond 1998 and that the additional revenue will accrue to the Royal Collection Trust once the Windsor castle restoration is completed. The royal collection is held by the Queen in trust on behalf of the nation. It is one of the largest art collections in the world, yet receives no public funding.

The Royal Collection Trust will use the income to improve the conservation, restoration, and presentation of this unique collection, while making a contribution towards the maintenance of the areas of Buckingham palace open to the public, thereby helping to offset the cost to the taxpayer.

LORD CHANCELLOR'S DEPARTMENT

Mental Health Review Tribunals

Mr. Cann: To ask the Parliamentary Secretary, Lord Chancellor's Department what action he has taken to ensure since March that the Lord Chancellor's list of potential medical members of mental health review tribunals includes psychologists. [34610]

Mr. Streeter: The Mental Health Act 1983 requires medical members to be registered medical practitioners. The Lord Chancellor will consider applications for lay membership from psychologists who have the appropriate experience in mental health issues.

Public Inquiries

Mr. Cann: To ask the Parliamentary Secretary, Lord Chancellor's Department what action he has taken since March to emphasise the need for clarity and explicitness by authorities submitting documents to public inquiries. [34612]

Mr. Streeter: A press notice was issued on 26 February 1996 inviting comments on Sir Richard Scott's recommendations concerning the conduct of inquiries set up by Ministers to investigate matters of public concern. Following the consultation period, the Council on Tribunals has been asked to provide advice on all of the issues raised.

Mr. Cann: To ask the Parliamentary Secretary, Lord Chancellor's Department what action he has taken since March to ensure that non-statutory public inquiries set up by local or central government qualify for subpoena powers under Supreme Court Rules Order 38 Rule 19(1). [34613]

Mr. Streeter: The question of subpoena powers for such inquiries arose during our consultation on Sir Richard Scott's recommendations concerning inquiry procedures. The Council on Tribunals has been asked to provide advice on the issues raised, which the Lord Chancellor will consider once received.

TRANSPORT

Motor Caravans

Mr. Robert Ainsworth: To ask the Secretary of State for Transport what representations he has received regarding the categorisation of motor caravans as private heavy goods vehicles by the Driver and Vehicle Licensing Agency. [33908]

Mr. Norris: In addition to the two questions which the hon. Member tabled recently, *Official Report*, 25 June columns *81–82*, three hon. Members have written on behalf of caravan clubs and individuals and a further four letters have been received from these sources.

Fissile Nuclear Materials (Transportation)

Mr. Llew Smith: To ask the Secretary of State for Transport what arrangements are to be put in place to seek multilateral approval for the transport of fissile nuclear materials as specified in paragraph 18 of the Radioactive Material (Road Transport) (Great Britain) Regulations 1996 (S.I., 1996, No. 1350). [34400]

Mr. Norris: The arrangements for obtaining Secretary of State approval for the UK part of international movements of fissile material have been in place for many years and were previously stated in the "Code of practice for the carriage of Radioactive materials by road" published by HMSO. These arrangements are now included in the Radioactive Material (Road Transport) (Great Britain) Regulations 1996.

Maryport Harbour

Mr. Campbell-Savours: To ask the Secretary of State for Transport what funds have been allocated for dredging and general silt removal works in Maryport harbour *(a)* by his Department or *(b)* with the support of his Department by other agencies in each of the last three years. [35303]

Mr. Norris: None.

Aircraft Cabin Baggage

Mr. Galbraith: To ask the Secretary of State for Transport if recommendation 5(c) from his Department, reference AC/14/01 of 19 December 1988, remains in force; and if he will make a statement. [35302]

Mr. Norris: No. All passengers and their cabin baggage entering an airport restricted zone are searched. Where an article is not a danger to a flight, it may be stored in the aircraft hold, but where any prohibited items are found, the police may be called as appropriate.

Motorway Accidents

Mr. Frank Field: To ask the Secretary of State for Transport if he will list the locations of all accidents that occurred on the motorways of England in the last year

for which figures are available; and if he will plot this information on a map and place a copy thereof in the Library. [35306]

Mr. Watts: The ordnance survey grid reference location of accidents recorded by the police as occurring on motorways has been sent to the House of Commons Library. There were 6,716 motorway accidents in England in 1994. Information for 1995 will be available in August. A map plotting this information on the motorway network in England is not available.

Charter Aircraft

Ms Walley: To ask the Secretary of State for Transport if he will introduce legislation to require foreign-registered non-United Kingdom aircraft carrying charter passengers to and from British airports to comply in full with the safety regime of the Civil Aviation Authority; and if he will make a statement. [35446]

Mr. Norris: No. As a signatory to the Chicago convention, the United Kingdom is obliged to accept certificates and licences issued in respect of foreign-registered aircraft provided that safety standards laid down by the International Civil Aviation Organisation are being met. Only aircraft on the United Kingdom register are required to comply in full with the safety regime of the Civil Aviation Authority. However, a foreign aircraft leased without crew to a United Kingdom airline must appear on that airline's air operators certificate and is then treated as a United Kingdom-registered aircraft.

EU Bus and Coach Directive

Mr. Steen: To ask the Secretary of State for Transport how many United Kingdom officials were involved in the preparation of *(a)* the fiche d'impact and *(b)* the compliance cost assessment for the EC bus and coach directive. [34989]

Mr. Norris: The Commission has not yet made a proposal for a European bus and coach directive and UK officials have not been involved in the preparation of a fiche d'impact. A compliance cost assessment for the UK cannot be prepared until the Commission makes its proposals.

Pollution (Milford Haven)

Ms Ruddock: To ask the Secretary of State for Transport what new measures have been introduced at Milford Haven to prevent grounding of laden oil tankers *(a)* within the Haven, and *(b)* in the Haven approaches. [35462]

Mr. Norris: The Milford Haven port authority has introduced the following interim precautionary measures in advance of the findings of the marine accidents investigation branch inquiry into the grounding of the Sea Empress.

(1) Vessels over 100,000 deadweight tonnes may not enter the Haven less than three hours before low water.

(2) All vessels with a gross tonnage of 65,000 tonnes or more, other than certain specified vessels, must carry two pilots for entry to, or exit from the Haven.

(3) A survey is being undertaken of the currents at the entrance to the Haven.

Train Operating Companies (Overcharging)

Mr. Gordon Prentice: To ask the Secretary of State for Transport what discussions he has had with the rail regulator concerning the alleged overcharging of customers by train operating companies. [35664]

Mr. Watts: My Department has confirmed with the rail regulator that he will give careful consideration to any allegations of overcharging by train operators.

Driving Licences

Mr. Steen: To ask the Secretary of State for Transport, pursuant to his answer of 1 April, *Official Report*, column *358*, if he will list those member states which have invoked grandfather rights when implementing the second EC directive on driving 91/439/EEC. [35037]

Mr. Norris *[holding answer 2 July 1996]:* From the information we have received to date, we understand that Belgium, Sweden, Luxembourg and Spain are likely to allow some drivers to renew their licences even though they cannot meet the standards in the directive.

OVERSEAS DEVELOPMENT ADMINISTRATION

Burundi

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to *(a)* international bodies and *(b)* the Burundi authorities regarding the conflict in Burundi. [35482]

Mr. Hanley: We are in close and regular contact with the United Nations, the Organisation of African Unity and other international bodies as well as the Government of Burundi. We have made clear our grave concern at the serious political and security situation in Burundi, our condemnation of politically motivated violence from whatever quarter, and our strong support for ex-president Nyerere of Tanzania in his efforts to broker a peaceful political settlement.

Female Genital Mutilation

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions in the last 10 years he has provided financial and other assistance, in terms of health education, to countries which have implemented, or are seeking to implement, local campaigns to eliminate female genital mutilation. [34163]

Mr. Hanley: Detailed financial information is not held in the form requested. Many ODA-funded activities which address female genital mutilation do so in the context of wider initiatives which aim to empower women. The ODA has also supported direct research to change people's attitudes to FGM in areas where it is practised. We have funded conferences and meetings where country experiences in dealing with this issue can be shared and differing approaches to eradicate the practice can be compared. The ODA also seeks to promote innovative new approaches through it seedcorn fund for reproductive health.

TREASURY

Inheritance Tax

Mr. Nicholls: To ask the Chancellor of the Exchequer what was the gross amount of inheritance tax collected in the most recent year for which figures are available; what proportion of this sum is attributable to tax collected as a result of challenges by the Inland Revenue of the figures set out in the original grant of probate; and what estimate he has made for each of the most recent three years available of the amount of inheritance tax collected net of the expenses of collection. [35108]

Mr. Jack: The provisional outturn of receipts from inheritance tax in 1995–96 is £1,559 million. It is estimated that about 63 per cent. of inheritance tax is collected before the grant of representation—or probate—is obtained. The Inland Revenue cannot, however, distinguish between voluntary compliance and challenge and negotiation by the capital taxes office in the amount of tax collected after the grant of representation.

Estimates of the amount of inheritance tax collected net of the cost of collection are given below:

Year	*Estimated receipts from inheritance tax net of cost of collection (£ million)*
1993–94	1,313
1994–95	1,387
1995–96 (provisional)	1,535

Public Appointments

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what new appointments he plans to the Board of Banking Supervision and the Securities and Investments Board. [35473]

Mrs. Angela Knight: The Chancellor and the governor have agreed to appoint Sir Andrew Large, the chairman of the Securities and Investments Board—SIB—and Sir David Scholey, a non-executive member of the court of the Bank of England, to the Board of Banking Supervision. They have also agreed the appointment of Howard Davies, deputy governor of the bank, as a member of the SIB. We welcome these appointments, which will strengthen further the links between financial regulators.

Railtrack

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the sale of the Government's holding of debt in Railtrack. [35518]

Mr. Jack: The following bonds were offered for sale:

£134,837,000 9.125 per cent. bonds due 2006;

£100,163,000 9.625 per cent. bonds due 2016.

I am pleased to report that the sale was successfully completed on 1 July. Payment will be made to HM Treasury on 9 July. The proceeds from the sale, net of commissions, will total £246.1 million.

Value Added Tax

Ms Primarolo: To ask the Chancellor of the Exchequer how much VAT has been repaid as a result of retrospective claims for each of the last five years; and if he will estimate how much VAT will be repaid next year. [35251]

Mr. Heathcoat-Amory *[holding answer 1 July 1996]:* Figures for past refunds of VAT in respect of retrospective claims are not held separately. It is not possible to estimate future amounts to be refunded. Any figure will depend on the outcome of litigation currently before the VAT tribunal and the courts.

EDUCATION AND EMPLOYMENT

Physical Education and Sport

Mr. Pendry: To ask the Secretary of State for Education and Employment when she will be in a position to publish the results of the survey her Department carried out on physical education and sport in schools. [34403]

Mrs. Gillan: I have today arranged for a copy of the report on the survey's findings to be placed in the Library.

Liverpool Community College

Mr. Wareing: To ask the Secretary of State for Education and Employment what representations she has received concerning the proposed closure of the Muirhead avenue east site of the Liverpool community college; if she will commission an inquiry into the proposal; and if she will make a statement. [35308]

Mr. Paice: The Department has received no representations about the closure of the site. I understand that it is one of 12 currently operated by Liverpool community college. While it is for the college to decide how to manage and develop its estate, the Government would encourage colleges to become more efficient in all areas of activity.

Kirklees Metropolitan Council

Mrs. Peacock: To ask the Secretary of State for Education and Employment (1) what was the amount of grant for Kirklees metropolitan council for its education new build programme in each year since 1979–80; [34797]

(2) what was the amount of grant for Kirklees metropolitan council for the improvement and repair of schools within the area for each year since 1979–80. [34796]

Mrs. Gillan *[holding answer 27 June 1996]:* The following table gives details of the credit approvals for Kirklees metropolitan council to fund its capital programme for schools.

Annual capital guidelines and supplementary credit approvals have been as follows

	ACG £000 Total	I/R	Additional SCA £000
1991–92	1,3,797	1,1,147	0
1992–93	1,4,071	1,1,355	750
1993–94	5,758	631	97
1994–95	2,572	53	0
1995–96	1,455	110	0
1996–97	1,465	74	90

[1] These figures include allocations for sixth form colleges and FE colleges.

TRADE AND INDUSTRY

European Structural Fund

Mr. Congdon: To ask the President of the Board of Trade if he will make a statement on the allocation of the European structural fund's community initiative reserves. [35587]

Mr. Eggar: The Government obtained for the United Kingdom and Gibraltar 187.21 million ecu from the Community initiatives reserve. I have allocated this between programmes and between areas as set out in the table.

Objective 1 areas

Million ecu (1996 prices)	Northern Ireland	Merseyside	Highlands and Islands	Total
Leader	1.140	—	1.200	2.340
Urban	2.055	2.055	—	4.110
Pesca	0.260	—	0.650	0.910
Employment	0.640	[1]0.580	[1]0.090	1.310
Adapt	0.360	[1]0.330	[1]0.060	0.750
Rechar	—	0.440	—	0.440
Resider	—	—	—	0.000
Retex	0.800	0.270	0.160	1.230
Konver	0.490	2.720	0.800	4.010
Total	5.745	6.395	2.960	15.100
Interreg II C	—	—	—	[1]2.000
Grand total	—	—	—	17.100

[1] Provisional.

Other areas

Million ecu (1996 prices)	England	Scotland	Wales	Gibraltar	Total	All areas total
Leader	5.660	1.840	1.890	—	9.390	11.730
Urban	17.745	2.055	0.840	—	20.640	24.750
Pesca	2.040	1.920	0.500	—	4.960	5.870
Employment	[1]35.390	[1]5.430	[1]1.780	—	42.600	43.910
Adapt	[1]19.510	[1]2.820	[1]1.080	—	23.410	24.160
Rechar	13.060	1.930	4.570	—	19.560	20.000
Resider	2.380	1.380	2.610	—	6.370	6.370
Retex	2.030	1.000	0.510	—	3.540	4.770
Konver	25.430	3.000	0.510	0.750	29.690	33.700
Total	123.745	21.375	14.290	0.750	160.160	175.260
Interreg II C	—	—	—	—	[1]9.950	11.950
Grand total	—	—	—	—	170.110	187.210

[1] Provisional.

Mr. Congdon: To ask the President of the Board of Trade if he will make a statement on the allocation of European structural funds money to British objective 2 areas. [35588]

Mr. Eggar: The Government obtained for the UK and Gibraltar 2,500 million ecu of objective 2 money for 1997 to 99. I have allocated this as set out in table.

	1997 to 99 allocation (1996 prices) million ecu
North-East England	355
West Cumbria	31
Yorkshire and Humberside	365
East Midlands	99
West Midlands	441
Greater Manchester, Lancashire, Cheshire	400
London	99
Thanet	17
Plymouth	36
South Wales	213
Eastern Scotland	134
Western Scotland	304
Gibraltar	6
Total	2,500

Advanced Gas-cooled Reactors

Mr. Clapham: To ask the President of the Board of Trade (1) what are the long-term implications of the damaged fuel pins found in advanced gas-cooled reactor stations; and if he will make a statement; [35295]

(2) what recommendations the nuclear installations inspectorate made on the operation of the AGRs with known fuel pin problems; and what implications it identified for the emergency shut-down system; [35296]

(3) when he expects the NII inquiry into the fuel pin problem to be completed; [35297]

(4) what factors led to the omission of reference to fuel pin problems in British Energy's prospectus. [35298]

Mr. Eggar: There is no omission in the British Energy prospectus. Reference to fuel pin problems is made on page 66 under the heading "fuel brace fretting".

As the prospectus notes, British Energy is continuing to examine the significance of this issue at its AGR stations and its potential on future fuel utilisation.

The NII has carried out preliminary inquiries into wear on fuel pins resulting from fuel brace fretting and is satisfied that the AGR stations remain safe to operate and that there are no implications for the emergency shut-down system.

The NII has asked Nuclear Electric and Scottish Nuclear to provide further information on this phenomenon and will continue to monitor developments.

Sizewell B

Mr. Purchase: To ask the President of the Board of Trade what was the design, build and commission cost of Sizewell B pressurised water reactor station; what is the net revenue received by the Exchequer since Sizewell B was commissioned to date; and what is the estimated profit and loss against the sale price of Sizewell B. [35299]

Mr. Eggar: Sizewell B commenced generation in the year ended 31 March 1995. At that date, the historic cost of Sizewell B, as recorded in the financial statements of British Energy, was £2,510 million. The net income of any individual power station is a commercial matter for the company. Sizewell B forms part of the assets of British Energy and is not being sold separately, consequently there is no "sale price of Sizewell B".

Offshore Installations

Ms Ruddock: To ask the President of the Board of Trade how many inspections of offshore oil and gas installations have been undertaken by his Department in each of the past 10 years. [35460]

Mr. Page: Numerous inspections of offshore installations have been undertaken by the Department of Trade and Industry in each of the past 10 years, although precise figures are not available.

Until 1991, safety inspections of offshore installations were carried out by Department of Energy inspectors exercising powers in regulations made under the Mineral Workings (Offshore Installations) Act 1971. In 1991, this function was transferred to the Health and Safety Executive. The Department of Trade and Industry does not carry out inspections relating to safety.

From 1986 to 1993, inspections of offshore oil and gas installations were undertaken by officers for the Department for the purpose of issuing UK oil pollution prevention—UKOPP—certificates under the Merchant Shipping (Prevention of Oil Pollution) Regulations 1983, SI 1983/1398. However, this has now reverted to the Department of Transport as from 1 June 1995.

The Secretary of State has powers under each licence granted in accordance with section 2 of the Petroleum (Production) Act 1934 to examine any installation erected in accordance with a licence and its equipment and any works executed. These powers are most commonly exercised by petroleum measurement inspectors to ensure that the methods of measurement used to account for petroleum won and saved from the licensed areas comply with the requirements of the licence.

Decommissioning

Mr. Wilson: To ask the President of the Board of Trade if he will publish figures for the current balance in the decommissioning account for each of the nuclear companies due to be privatised; and where, in each case, this fund is held. [35578]

Mr. Eggar: This information is included in the audited financial statements of Nuclear Electric Ltd. and Scottish Nuclear Ltd. for the period ended 31 March 1996.

Marine Environment

Ms Ruddock: To ask the President of the Board of Trade (1) what monitoring is undertaken by his Department to ensure that oil companies comply with the conditions placed on discharges from offshore oil and gas installations to the marine environment; [35461]

(2) what provisions his Department has in place to ensure that *(a)* discharges to the marine environment from offshore oil and gas installations do not exceed permitted levels and *(b)* cumulative levels of discharges from offshore oil and gas installations do not damage marine wildlife and habitats. [35468]

Mr. Page: Both my Department and the Department of Transport's marine pollution control unit monitor discharges from offshore oil and gas installations by means of a programme of aerial surveillance. This is used to monitor whether oil spills are reported in accordance with the requirements of petroleum production licences. Aerial surveillance can also detect high levels of produced water.

When a company has been granted an exemption in accordance with section 23 of the Prevention of Oil Pollution Act 1971, which permits the discharge of produced water, conditions attached to that exemption will require the company to take samples of produced water twice a day for analysis. The results of the analysis are submitted to my Department for inspection on a monthly basis.

Similarly, conditions attached to an exemption which permits the company to drill with oil-based mud will require the company to take samples at least once a day for analysis of the oil on cuttings. The results of these analyses are submitted to my Department for inspection after the well is completed.

The effects of operational discharges of chemicals in water and drilling muds from offshore oil and gas installations, including possible cumulative effects, are taken into account when agreeing limits for the discharge and use of chemicals for each installation. The Departments responsible for fisheries monitor the well being of the marine environment.

RJB Mining plc

Mr. Merchant: To ask the President of the Board of Trade if he will make a statement regarding sums owed to his Department by RJB Mining plc in respect of its acquisition of mining assets of the British Coal Corporation. [35746]

Mr. Page: It was agreed at the time of the sale to RJB Mining that my Department would receive £116.7 million of the sale price of £815.3 million in the

form of deferred payments up to December 1997. My Department received this initial deferred consideration instalment of £12.2 million, plus interest, last January.

The company has now repaid early the entire remaining deferred consideration, which amounts to some £117 million including interest. I welcome this demonstration of the industry's success in the private sector.

DEFENCE

Ground Proximity Warning System

Mr. Redmond: To ask the Secretary of State for Defence what delay has been caused to the ground proximity warning system trials by the accident on 1 June 1995; and what is the estimated service entry date for the equipment on each aircraft type. [34644]

Mr. Arbuthnot: The accident on 1 June 1995 involving a Harrier GR7 undertaking RAF assessments of ground proximity warning systems, GPWS, equipment caused no delay to the programme to fit GPWS to the GR7 or the associated trials being conducted for the procurement executive. It is expected that the first modified GR7 will be delivered to the RAF in early 1998. The Jaguar is being fitted with similar equipment, and the first modified aircraft is scheduled to enter service in October of this year. Eurofighter 2000 will have a GPWS capability from the outset of its entry into service in 2001. In addition to these mainly single-seater aircraft, the need for GPWS equipment, and its precise date of entry into service, for the two-seater Tornado GR4 is under consideration.

Chemical and Biological Defence Establishment

Mr. Livingstone: To ask the Secretary of State for Defence how many scientific papers in the Porton technical papers (radiological) series have been produced by the Chemical and Biological Defence Establishment at Porton Down since 1966; when the radiological series was closed; and how many papers in the radiological series are currently unclassified. [34465]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning the Porton Technical Paper (Radiological) Series. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

The Porton Technical Paper (Radiological) Series closed in 1964 and therefore no papers have been produced since then. There were 50 reports in this series of which 45 are currently unclassified.

I hope this information is helpful.

Mr. Livingstone: To ask the Secretary of State for Defence what studies have been carried out since 1996 by the Chemical and Biological Defence Establishment at Porton Down to evaluate the long-term health effects of short-term exposure to the nerve agent GE; when these studies were carried out; and what were the conclusions of these studies. [34472]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning long term health effects of exposure to the nerve agent GE. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Porton Down has not carried out any studies to evaluate long term health effects of exposure to the nerve agent GE since 1966.

Mr. Livingstone: To ask the Secretary of state for Defence what research has been carried out since 1996 by the Chemical and Biological Defence Establishment at Porton Down to investigate whether skin cancer can be caused by short-term exposure to mustard gas; when this research was carried out; and what were the results of this research. [34470]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document, I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning research on skin cancer. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Porton Down has not carried out any studies to investigate whether short term exposure to mustard agent causes skin cancers.

Mr. Livingstone: To ask the Secretary of State for Defence what are the current security classifications of each of the annual reports produced by the ethics committee overseeing the service volunteers programme at the Chemical and Biological Defence Establishment at Porton Down since 1966. [34466]

Mr. Arbuthnot: Prior to the establishment of the independent ethics committee in 1991, the work of the service volunteer programme was monitored by the medical sub-committee of the Defence scientific advisory committee—DSAC—which did not separately report on this aspect of its work. The reports of the DSAC were classified, as a minimum "Restricted". Since 1991 the independent ethics committee has produced annual reports which to date have all been classified as "Restricted".

Mr. Livingstone: To ask the Secretary of State for Defence what has been the policy of the Chemical and Biological Defence Establishment since 1966 on asking service personnel who are attending courses at the Defence nuclear biological and chemical centre at Winterbourne Gunner to take part in short trials at the establishment during their course. [34474]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning the attendance of service personnel at DNBCC in studies at Porton Down. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Volunteers are recruited to take part in studies at Porton Down by the means outlined in my letter to you published in Hansard on 11 January 1996 at Col 317. Before 1988 those who attended the Defence NBC School at Winterbourne Gunner may have been given the opportunity, if they wished, to participate in studies at CBDE whilst they were students at the centre. This informal recruiting procedure no longer occurs and all those who participate in the volunteer programme at Porton Down will have applied to attend through their unit's administrative staff.

I hope this information is useful.

Mr. Livingstone: To ask the Secretary of State for Defence what details of the participation of service personnel in experiments and trials at the Chemical and Biological Defence Establishment at Porton Down are recorded on that individual's services medical records; and when this practice was introduced. [34471]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning the details of participation in studies at Porton Down entered on Service Medical Records. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Since 1990 no Service Volunteers have been permitted to begin a study until their service medical records have been received at Porton Down. An entry is always made on the individual's record to indicate that they have attended the establishment and participated in a study, although this does not give any details of the particular studies actually involved. For many years before 1990 it was also the practice to make an entry on an individual's service medical record although the system for forwarding records to Porton Down was not so reliable and we know that some entries were not made. Porton Down does, however, have other records against which it can cross check whether individuals were Service Volunteers.

I hope this is helpful.

Mr. Livingstone: To ask the Secretary of State for Defence when the Chemical and Biological Defence Establishment at Porton Down introduced its practice of considering the possible long-term health effects of a chemical before it is exposed to service personnel who are taking part in the service volunteers programme. [34469]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question concerning the introduction of the practice of considering long term health effects of chemicals used in the human volunteer programme at the former Chemical and Biological Defence Establishment. The Chemical Biological Defence Sector (CBD) at Porton Down is now part of the Defence Evaluation and Research Agency (DERA) for which I am responsible as Chief Executive.

Before conducting any tests, management and staff at Porton Down have always taken the most careful account of what is known about chemical substances to which Service Volunteers might be exposed during trials. This includes considering possibie long term effects on health. The independent Ethics Committee also considers this issue before approving proposed studies involving Service Volunteers.

I hope this information is helpful.

Defence Research Information Centre

Mr. Livingstone: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Brent, East on 9 May, *Official Report*, column *224-25*, what are the security classifications of each of the four bulletins summarised in the table; how many approved customers are currently served by DRIC; and if he will make a statement on the range and nature of these customers. [34475]

Mr. Arbuthnot: This is a matter for the Defence Evaluation and Research Agency under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 3 July 1996:

I have been asked to reply to your question following up my letter to you of 9 May about the Defence Research Information Centre (DRIC).

The security markings of the DRIC Abstracts. DRIC Standard Profiles and Overseas Citation lists mentioned in my letter can be classified as Secret, Confidential, Restricted or Unclassified depending on the content. The DRIC Newsletter is an Unclassified publication.

It is not easy to decide in some circumstances how many "end-user" customers are served by DRIC. For example if a library or information centre is the channel of communication with DRIC there will be a large number of end users. One measure which gives an idea about the level of demand is the number of transactions performed by DRIC over a year. Using this approach, we experience in the order of 8,000–10,000 customer transactions each year.

You also asked about approved customers. We define these as individuals or organisations who justify their need for, and are qualified to receive, the information requested—the cost of which is recovered by the appropriate charging mechanism. Approved customers cover a wide range of organisations including DERA; MOD; The Procurement Executive; The Armed Forces; MOD Next Steps Agencies; Other Government Departments; Overseas Governments; NATO; UK Contractors; Universities or Colleges; Overseas Contractors; Overseas Universities or Colleges.

I hope this is helpful.

Bovine Spongiform Encephalopathy

Mr. Hall: To ask the Secretary of State for Defence what plans he has to store rendered meat and bonemeal from the BSE cattle cull at RAF Burntwood; and if he will make a statement. [35105]

Mr. Soames: There are currently no plans to store rendered meat and bonemeal at RAF Burtonwood.

Firing Range, Glamoc

Mrs. Clwyd: To ask the Secretary of State for Defence what considerations led him to lease Croatian-controlled land around Glamoc as a live firing range. [35362]

Mr. Soames: The range is used by NATO-led implementation force troop contributors to maintain their tactical skills and operational effectiveness and to demonstrate the force's capabilities.

Mrs. Clwyd: To ask the Secretary of State for Defence what assessment was made by his Department of the humanitarian consequences of using Croatian-controlled territory around Glamoc as a live testing range. [35363]

Mr. Soames: The firing range at Glamoc is used by the NATO-led implementation force, IFOR, for training purposes, not for the testing of weapons, under an agreement with the local authorities. The same stringent procedures to ensure safety and to minimise the environmental and humanitarian impact of ranges are used by the British Army wherever it trains. The Glamoc range is in a remote area away from any centres of population and sited partly on heavily mined areas which are unsuitable for public access.

Weapons Testing

Mrs. Clwyd: To ask the Secretary of State for Defence (1) if he will make it his policy, in territory which has recently been the scene of armed conflict, to prohibit British forces from using such territory for testing weapons or missiles without an independent assessment of the likely humanitarian consequences; and if he will make a statement; [35357]

(2) if he will make his policy that Britain's armed forces, when considering sites for weapons or missile testing in areas of recent armed conflict, have particular regard for the views of the people who live there. [35361]

Mr. Soames: It is already standard practice in the selection, construction and use of live firing ranges, wherever they are, to have due regard for the views of people living nearby, and for the environmental, humanitarian and other consequences.

Land Mines

Mrs. Clwyd: To ask the Secretary of State for Defence how many anti-personnel land mines were *(a)* exported and *(b)* transferred from the United Kingdom between 1979 and 1985 inclusive. [35358]

Mr. Arbuthnot: The information requested is not available.

Mrs. Clwyd: To ask the Secretary of State for Defence how many *(a)* anti-personnel and *(b)* anti-tank mines owned by the United Kingdom Government are being held outside United Kingdom territory. [35359]

Mr. Arbuthnot: It is our established policy for security reasons not reveal information relating to stock levels of munitions held or planned.

Pilots (Training)

Mrs. Clwyd: To ask the Secretary of State for Defence if he will list the countries from which pilots have visited the United Kingdom to receive advanced flying and tactical weapons training in each year from 1990 to 1995 inclusive, and since 1 January 1996. [35420]

Mr. Soames: Details of military assistance are confidential between Governments.

Bett Review

Mr. Alfred Morris: To ask the Secretary of State for Defence, pursuant to his answer to the right hon. Member for Selby, (Mr. Alison) of 20 February, *Official Report*, column *96*, if he will make a further statement on his Department's progress with consideration of the recommendations in Sir Michael Bett's report. [35110]

Mr. Soames: I have nothing to add to my answer of 25 June, *Official Report*, column *64*.

Airborne Warning and Communication Systems

Sir Jerry Wiggin: To ask the Secretary of State for Defence what is the estimated value of British manufactured offset in relation to the AWACS order to date; how much it is expected the total offset will be; and how much offset was originally promised by the American suppliers. [35211]

Mr. Arbuthnot: The AWACS offset obligation was discharged in 1992. By that time, Boeing had submitted to my Department reports listing contracts placed with United Kingdom firms totalling some $2.1 billion, of which we agreed $1.57 billion to count for offset credit. This latter figure exceeded the 130 per cent. target set in the offset agreement.

Married Quarters

Dr. David Clark: To ask the Secretary of State for Defence if he will list the independent advisers who have provided advice to his Department's proposed married quarters housing sell-off in the past six months. [35372]

Mr. Arbuthnot: I have nothing to add to the reply my hon. Friend the Minister of State for the Armed Forces gave the hon. Gentleman on 1 November 1995, *Official Report*, column *328*.

Dr. Clark: To ask the Secretary of State for Defence, pursuant to his answer of 4 June, *Official Report*, column *343*, what has been the total cost to date, inclusive of VAT, of the employment of consultants for his Department's married housing quarters sell-off. [35451]

Mr. Arbuthnot: The total cost to date of the employment of consultants since we began to develop the proposal to transfer the married quarters estate to the private sector announced by my right hon. Friend the Secretary of State for Defence on 30 November 1995, *Official Report*, columns *810–11*, amounts to some £4.4 million, inclusive of VAT. VAT for these costs is refunded to my Department; the VAT-exclusive cost to date is £3.8 million.

Dr. Clark: To ask the Secretary of State for Defence if he will list the number of married quarters in each English and Welsh county which are part of his Department's proposed housing sale. [35236]

Mr. Arbuthnot: The information is not available in the form requested, and could not be obtained without disproportionate cost. However, figures are available divided by Defence estate organisation land agent—DLA—regions, as follows.

DLA Aldershot: 11,116
- Berkshire
- Buckinghamshire
- Oxfordshire
- Mid and North Hampshire
- Part of Surrey
- West Kent
- Part of West Sussex

DLA Brecon: 2,080
- Dyfed
- Gwent
- Powys
- South, Mid and West Glamorgan

DLA Cambridge: 8,495
- Bedfordshire
- Cambridgeshire
- Essex
- Hertfordshire
- Norfolk
- Suffolk

DLA Canterbury: 1,724
- East Kent
- East Sussex
- Part of West Sussex
- Part of Surrey

DLA Catterick: 5,727
- Northumberland
- Tyne and Wear
- Durham
- Humberside
- North Yorkshire
- West Yorkshire
- South Yorkshire

DLA Durrington: 8,791
- Wiltshire
- Dorset
- Avon
- Gloucestershire

DLA London: 4,410
- Greater London and immediate vicinity

DLA Nottingham: 3,748
- Derbyshire
- Leicestershire
- Lincolnshire
- Nottinghamshire
- Northamptonshire

DLA Plymouth: 4,490
- Cornwall
- Devon
- Isles of Scilly
- Somerset

DLA Portsmouth: 3,758
- South Hampshire
- Part of West Sussex
- Isle of Wight

DLA Shrewsbury: 4,032
- Cumbria
- Isle of Man
- Lancashire
- Greater Manchester
- Merseyside
- Cheshire
- Clwyd
- Gwynedd
- Shropshire
- Staffordshire
- West Midlands
- Warwickshire
- Hereford and Worcester

It should be noted that these figures relate to the estate for sale at the time when the information memorandum was published—23 February 1996. The size of the estate for sale remains subject to adjustment during the continuing management of the estate.

Naval Recruiting and Training Agency

Mr. David Martin: To ask the Secretary of State for Defence what progress has been made by the Naval Recruiting and Training Agency in developing a partnering arrangement; and if he will make a statement. [35833]

Mr. Soames: As part of the Government's competing for quality and private finance initiative, in December 1995 the Naval Recruiting and Training Agency—NRTA—selected Flagship Training, a consortium consisting of Vosper Thornycroft, GEC/Marconi and Procord, as its preferred partner in naval training.

Following a process of detailed negotiation between the NRTA and Flagship Training, I am pleased to announce that it has been decided to proceed with the implementation of the partnering arrangement. With the formal framework now in place, the NRTA and Flagship Training can begin to develop specific proposals in respect of NRTA shore training establishments. This process is expected to take around six months to complete and the proposals that emerge will be the subject of further consultation with Departmental trades unions.

Official Service Residences

Dr. David Clark: To ask the Secretary of State for Defence if he will list the names and locations of his Department's official service residences which are part of his proposed housing sale. [35237]

Mr. Arbuthnot: For security reasons, it would not be appropriate to provide this information in the form requested. When the information memorandum was issued—23 February 1996—the estate for sale included eight properties in Wiltshire, five in Middlesex, five in Buckinghamshire, two in Cambridgeshire, and one each in London, Somerset, Hampshire, Shropshire, Oxfordshire, Yorkshire, Bedfordshire, Gloucestershire and Lincolnshire, which, prior to the Cazalet review, qualified as official service residences by virtue of the posts held by their occupants. Following the Cazalet review, 14 of the properties now qualify as official service residences: four in Wiltshire, two in Middlesex, two in Buckinghamshire, and one each in Cambridgeshire, Somerset, Hampshire, Shropshire, Yorkshire, and Lincolnshire. The final size and composition of the estate for sale remains subject to possible changes during the continuing management of the estate.

Radiation Test Experiments

Mr. Llew Smith: To ask the Secretary of State for Defence if he will list each of the facilities currently or formerly operated by his Department since 1966 where radiation test experiments have been conducted on either service men or civilian volunteers; and if he will make a statement on follow-up monitoring conducted since these experiments. [34381]

Mr. Arbuthnot *[holding answer 26 June 1996]*: During the 1980s, atomic weapons establishment Aldermaston participated in a number of studies involving the use of radioactive material. Some were also conducted at Porton Down in the 1950s and 1960s, and are described in an answer I gave the hon. Member for South Shields (Dr. Clark) on 25 June 1996, *Official Report*, column 65. Follow-up radiological monitoring would have been irrelevant because only very short-lived radioisotopes were used in the experiments.

SOCIAL SECURITY

Housing Benefit Subsidy

Mr. Rooker: To ask the Secretary of State for Social Security if he will publish for 1994–95 the payments of housing benefit subsidy by his Department to each London borough and metropolitan district; and if he will list the financial penalties imposed as a result of non-compliance with regulations. [31562]

Mr. Roger Evans: The information is set out in the tables.

Metropolitan authorities

Authority	*Subsidy paid for non-HRA rent rebate expenditure 1994–95(£)*	*Subsidy paid for rent allowance expenditure 1994–95(£)*	*Subsidy penalties incurred 1994–95(£)*
Barking	0	9,032,943	0
Barnet	2,038,205	37,753,367	0
Bexley	184,080	17,370,921	0
Brent	1,870,444	73,428,160	0
Bromley	465,904	43,145,879	0
Camden	1,102,438	57,118,469	0
City of London	38,988	927,953	0
Croydon	694,814	45,719,522	0
Ealing	1,926,861	50,487,956	0
Enfield	3,305,858	28,924,000	0
Greenwich	2,344,595	23,520,217	0
Hackney	9,465,809	58,559,103	0
Hammersmith	2,473,370	38,851,775	0
Haringey	8,679,839	75,046,559	0
Harrow	235,476	23,722,130	0
Havering	0	11,185,974	0
Hillingdon	1,282,584	19,635,033	0
Hounslow	1,019,705	27,738,610	0
Islington	2,190,355	33,740,420	0
Kensington and Chelsea	897,085	49,036,668	0
Kingston upon Thames	2,866,704	9,622,988	0
Lambeth	2,459,649	62,820,132	0
Lewisham	532,435	38,555,441	0
Merton	69,541	20,053,791	0
Newham	4,517,984	72,851,754	0
Redbridge	168,049	33,422,563	0
Richmond-upon-Thames	928,189	14,755,024	0
Southwark	1,488,887	39,513,847	0
Sutton	264,343	12,845,855	0
Tower Hamlets	2,650,913	22,628,408	0
Waltham Forest	727,329	39,235,511	0
Wandsworth	1,142,664	51,617,175	0
Westminster	1,871,308	81,723,232	0
Barnsley	336,614	8,924,404	0

Metropolitan authorities

Authority	*Subsidy paid for non-HRA rent rebate expenditure 1994–95(£)*	*Subsidy paid for rent allowance expenditure 1994–95(£)*	*Subsidy penalties incurred 1994–95(£)*
Birmingham	0	95,811,541	1,639,119
Bolton	251,882	15,101,121	0
Bradford	58,932	38,585,237	0
Bury	1,141,702	8,753,189	0
Calderdale	735,995	10,471,362	0
Coventry	812,483	25,353,232	0
Doncaster	12,817	12,243,300	0
Dudley	103,035	8,898,444	0
Gateshead	28,368	11,969,763	0
Kirklees	1,266,961	18,430,832	0
Knowsley	13,857	9,106,135	0
Leeds	165,168	50,917,991	0
Liverpool	148,951	71,766,629	0
Manchester	2,715,548	78,174,726	0
Newcastle upon tyne	357,859	25,291,420	0
North Tyneside	151,748	13,044,451	0
Oldham	524,153	13,384,001	0
Rochdale	754,099	13,691,094	0
Rotherham	275,975	9,327,466	0
Salford	851,086	18,245,357	0
Sandwell	108,268	13,025,643	0
Sefton	297,748	22,199,050	0
Sheffield	812,883	26,499,284	0
Solihull	43,144	5,206,823	0
South Tyneside	425,841	9,887,080	0
St. Helens	43,425	9,013,017	0
Stockport	135,563	16,061,267	0
Sunderland	402,511	17,104,442	0
Tameside	1,490,378	11,967,014	0
Trafford	251,678	12,999,886	0
Wakefield	350,298	10,424,339	0
Walsall	78,272	8,821,627	0
Wigan	1,697,773	10,548,961	0
Wirral	100,615	27,914,171	0
Wolverhampton	18,054	13,408,744	0

Disability Benefits

Mr. Alan Howarth: To ask the Secretary of State for Social Security how many *(a)* people who have claimed incapacity benefit since April 1995, *(b)* former invalidity benefit claimants, *(c)* severe disablement allowance claimants, *(d)* people who have claimed income support with a disability premium since April 1995, *(e)* people who claimed income support with a disability premium before April 1995 and *(f)* people with credits only have been found capable of work following an assessment under the all-work test in the year ended April 1996. [34322]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

Found capable of work following the all-work test of incapacity	*Number*
Incapacity benefit claimants since April 1995[1,3]	24,620
Incapacity benefit claimants former in receipt of invalidity benefit[2,3]	25,200
Severe disablement allowance claimants[1,3]	660
Credits only[1,3]	28,540

[1] Source: 5 per cent. sample from the incapacity benefit computer system. Excludes a small number of cases paid clerically.

[2] Source: 1 per cent. sample from the incapacity benefit computer system. Excludes a small number of cases paid clerically.

[3] It is not possible to identify separately those cases which are in receipt of income support.

[4] All figures are for Great Britain.

Mr. Howarth: To ask the Secretary of State for Social Security how many appeals against a disallowance of *(a)* incapacity benefit, *(b)* severe disablement allowance, *(c)* income support with a disability premium and *(d)* credits (i) have been lodged, (ii) have been heard and (iii) are outstanding; and what was the success rate for claimants. [34269]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the table.

	Incapacity benefit—all appeals including all-work test	*Other all-work test appeals*[2]
Appeals received 1 April 1995 to 31 March 1996	36,573	8,453
Appeals heard 1 April 1995 to 31 March 1996	6,976	1,354
Appeals outstanding as at 31 March 1996	24,525	6,205
Percentage decided in favour of appellant	47	38

[1] Does not include appeals withdrawn, superseded or struck out.
[2] It is not possible to provide a further breakdown of this category.

Mr. Howarth: To ask the Secretary of State for Social Security how many people on incapacity benefits and credits have been *(a)* found capable of work following an assessment under the all-work test, *(b)* been disallowed benefit for failing to return the IB50 questionnaire without good cause and *(c)* been disallowed following failure to attend an examination without good cause, during the year ending April 1996. [34657]

Mr. Burt: The information is in the table.

	Number
Found capable of work following all-work test	89,882
Disallowed benefit for failing to return the IB50 questionnaire without good cause	7,710
Disallowed benefit for failing to attend an examination without good cause	2,416

Note:
All data for the year to 31 March 1996.
Source:
One hundred per cent. count of cases on the incapacity benefit computer system; excludes a small number of cases which are paid clerically.

Benefit Values

Mr. Alan Howarth: To ask the Secretary of State for Social Security if he will list *(a)* each benefit, *(b)* its current value and *(c)* its value in 1979 or at the date of its introduction (i) in cash terms and (ii) at April 1996 prices. [34321]

Mr. Burt: The information has been placed in the Library.

Child Support Agency

Mr. Redmond: To ask the Secretary of State for Social Security (1) what geographical area is covered by the *(a)* Doncaster and *(b)* Mexborough field office of the Child Support Agency; [35009]

(2) if he will list by month how many cases have been dealt with by the *(a)* Doncaster and *(b)* Mexborough field office of the Child Support Agency since 1 January 1995. [35010]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. Martin Redmond, dated 2 July 1996:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about Child Support Agency field offices.

Mexborough does not have a separate Child Support Agency field office; this area is covered by the Rotherham field office.

The geographical area covered by the Rotherham field office takes in the following post codes: S60 to S66 inclusive, and parts of S31, S71 and S72.

The geographical area covered by the Doncaster field office takes in the following post codes: DN1 to DN8 inclusive, and parts of DN9, DN10, DN11 and DN14.

When the Agency was established, field offices dealt only with cases requiring local contact. The majority of work was dealt with by the Child Support Agency Centres. Since June 1995, field offices have been responsible for gathering all the information necessary for the Child Support Agency Centres to complete maintenance assessments. Figures regarding the number of cases dealt with by the Rotherham and Doncaster field offices are available from that date and are shown on the attached tables.

I hope this is helpful.

Number of cases dealt with by the Rotherham field office

	Number
June 1995	101
July 1995	280
August 1995	126
September 1995	196
October 1995	162
November 1995	228
December 1995	144
January 1996	301
February 1996	211
March 1996	274
April 1996	173
May 1996	258

Number of cases dealt with by the Doncaster field office

	Number
June 1995	156
July 1995	195
August 1995	163
September 1995	207
October 1995	282
November 1995	198
December 1995	237
January 1996	250
February 1996	286
March 1996	306
April 1996	249
May 1996	309

Funeral Expenses

Mr. Austin Mitchell: To ask the Secretary of State for Social Security what evidence he has evaluated in respect of the scale of abuse in relation to the social fund funeral payments system. [34406]

Mr. Roger Evans: Expenditure escalated from £18.4 million in 1988–89 to £63 million in 1994–95; in some years, the increase was up to 6 per cent. above the rate of inflation. Changes were made to the funeral payments scheme in April 1994 and June 1995 to ensure that only those people with good cause for taking responsibility for the costs of a funeral are given help.

During 1993–94, the number of awards was 72,000, but during 1994–95 and 1995–96 this reduced to 68,000 and 62,000 respectively. During the same period, the number of claims increased from 95,000 to 98,000. Expenditure was reduced to £49 million in 1995–96.

Statutory Instruments

Mr. Steen: To ask the Secretary of State for Social Security how many statutory instruments his Department introduced in *(a)* 1994, *(b)* 1995 and *(c)* between 1 January 1996 and 1 May 1996 which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35038]

Mr. Burt: This information is not available in the format requested. However, a list of regulations that have been repealed or amended was place in the House Library by the Chancellor of the Duchy of Lancaster on 8 May.

Benefit Targeting

Mr. Simon Coombs: To ask the Secretary of State for Social Security what further plans he has for better targeting of expenditure on the income-related benefits. [35823]

Mr. Lilley: I have today passed two proposals to the Social Security Advisory Committee which are intended to ensure that resources are targeted in a more effective way.

The first proposal is to increase the levels of deduction from benefit that people receive for housing costs where there are non-dependant adults living in the home who are in remunerative work and whose earnings are considerable. It is reasonable to expect non-dependants who are financially able to do so to contribute more towards housing costs than they are doing at present. We propose to introduce two higher levels of deduction: £36 a week for non-dependant adults with gross incomes of between £200 and £249.99 a week, and £39 a week for those with incomes of £250 or more a week.

Similar changes will be made to the help people receive to pay their local taxes by increasing the deductions from council tax benefit to £3.50 and £4 a week for those non-dependants on the above levels of incomes.

The changes will take effect from April 1997 in housing benefit and council tax benefit and from April 1998 in income support and income-based jobseeker's allowance. They will reduce benefit expenditure on housing costs and local taxes, and reduce the burden on the taxpayer.

The second proposal is to change the arrangements for paying child personal allowances in the income-related benefits. At present, the amount of money we give to less well-off families with children at school is not directly linked to the educational year, but depends on the date of a child's birthday. An increase in allowance becomes due at the time of a dependent child's 11th or 16th birthday. This means that some families receive the increase much earlier in the year than others and the increase is not properly linked to educational changes, such as a move to secondary school. We propose to move the date of the increase to the first Monday in September following the relevant birthday. This will broadly align child allowances with the start of the school year when extra costs are more likely to be incurred. Families of pupils who decide to stay on in education at 16 will get their increased help—currently an extra £4.75 a week in income support—from the September of the new academic year.

Relatively few young people will be in non-advanced education in the academic year which begins after their 18th birthday. In the interests of simplicity and consistency, there will no longer be a change in the rate for young dependent people on reaching 18.

In family credit and disability working allowance, the changes will come into effect from the start of the award following the new September trigger date, just as at present increases take place from the award following the child's birthday.

The changes will take effect from April 1997 in income support, income-based jobseeker's allowance, housing benefit and council tax benefit and from October 1997 for family credit and disability working allowance. No one will suffer a cash reduction. The changes will apply only to those whose 11th, 16th or 18th birthday is on or after the date the new provisions would come into force.

There is also a beneficial change for those with child care costs which will help working families claiming family credit, disability working allowance, housing benefit and council tax benefit. The child care disregard, worth £60, will continue to be available until the award in which the increased personal allowance takes effect.

These two proposal are expected to save £80 million rising to about £150 million over the next three years, and will ensure that resources are used more effectively.

AGRICULTURE, FISHERIES AND FOOD

Nitrates

Mr. Burden: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the impact of his Department's area of responsibility of European Commission directives on nitrates in water supplies. [25031]

Mr. Boswell: The standard for nitrate in water supplies is laid down in the EC drinking water directive (80/778). The EC nitrate directive (91/676) provides for waters to be identified as "polluted waters" in various circumstances, including when nitrate from agriculture has impaired their suitability for use in water supplies. Under the nitrate directive, farmers within designated nitrate vulnerable zones will be subject to restrictions drawn up in order to minimise the leaching of nitrate from agriculture into water sources.

Beef (Cold Storage)

Mr. Touhig: To ask the Minister of Agriculture, Fisheries and Food (1) what is his assessment of the amount of beef in cold storage which has been in cold storage for more than *(a)* three years and *(b)* five years; [24945]

(2) what assessment he has made of the amount of beef in cold storage which has been in cold storage for more than *(a)* three years and *(b)* five years. [32242]

Mr. Baldry: Some 4,842 tonnes of beef have been held in intervention cold storage for more than three years and 95 tonnes for over five years.

Mr. Touhig: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the amount of beef which is currently being kept in cold storage in the United Kingdom. [32243]

Mr. Baldry: Some 9,000 tonnes of beef have been held in intervention cold storage as at 21 June 1996.

Organic Agriculture

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food how much direct and indirect financial aid from his Department has been received by farmers of organic agriculture for each year since 1985 *(a)* in total and *(b)* as a percentage of that received by conventional agriculture; and if he will make a statement. [32274]

Mr. Boswell: The generality of farm support, such as arable area payments, livestock premiums and environmental payments, is available to organic and conventional farmers on equal terms. It is not possible to determine how much of this support has been given specifically to organic producers.

The Ministry has introduced an organic aid scheme to give additional payments to farmers who convert to organic methods. To augment this, we have just launched a new organic conversion information service, providing free technical and other advice to would-be organic producers. We are also funding the UK register of organic food standards and a substantial programme of dedicated organic research. Total planned expenditure for these various activities in this financial year is £1.612 million.

Slaughtered Cattle

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what plans he has to authorise the storage of cattle carcases arising from his policy to cull bovine spongiform encephalopathy-infected cattle at *(a)* existing or *(b)* closed military bases. [32909]

Mr. Baldry: All cattle suspected of having BSE are incinerated and there is no need for storage facilities in such cases. With regard to cattle slaughtered under the over 30 month scheme, the Intervention Board executive agency and the MOD have agreed a lease whereby a number of MOD sites may be brought into use as and when needed for the storage of meat and bonemeal prior to final disposal. So far, only the site at Quedgley in Gloucester has been used for this purpose. Deliveries were made there between 20 May and 6 June, and have now ceased.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will list by collection centres the number of animals slaughtered under the Government's cattle disposal scheme for each week since the week beginning Monday 29 April. [31628]

Mr. Boswell *[holding answer 10 June 1996]:* The number of cattle slaughtered under the over 30-month scheme by collection centre is not available. However, the number of animals slaughtered by approved abattoirs for each week since the scheme started, up to the latest week available, is:

Abattoir	*Slaughterings—week commencing*							
	29 April	*6 May*	*13 May*	*20 May*	*27 May*	*3 June*	*10 June*	*17 June*
Anglo Dutch	—	—	494	375	322	375	529	682
H G Blake	—	—	0	0	100	100	101	103
Cheales Meats Ltd.	—	—	1,316	1,481	1,320	1,139	1,473	1,353
Carlisle Butchers	—	—	717	0	475	722	631	539
Cleveland Meat Co.	—	—	768	367	322	323	322	362
E J Duerden	—	—	0	768	207	131	99	101
Jewitt	—	—	0	213	91	209	213	211
Northern Counties	—	—	500	749	298	268	258	308
J Penny and Sons	—	—	0	202	203	241	221	224
Rose County Foods	—	—	0	336	331	309	548	546
Woodhead Bros.	—	—	665	1,154	633	818	465	805
Beesons (Bradley)	—	—	547	716	330	324	327	308
Ensors Abattoir Ltd.	—	—	94	100	100	100	102	100
T G Sargeant and Sons	—	—	0	0	107	53	149	105
F Redfern	—	—	0	200	169	214	222	290
G and G B Hewitt	—	—	0	0	0	181	187	182
Snelsons	—	—	369	242	100	106	105	107
H M Bennett	—	—	0	0	101	187	202	205
Bridgewater Beef	—	—	0	0	202	205	95	203
Cobdens	—	—	1,919	2,162	1,275	1,537	1,110	1,007
Whitley Bay	—	—	0	80	98	101	103	103
S J Norman and Sons	—	—	0	0	100	0	99	103
St. Merryn	—	—	1,786	1,595	872	0	1,072	1,100
Wholesale Meat Traders	—	—	0	0	100	0	95	95
Dawkins International	—	—	0	0	250	200	203	102
J and B Fitton	—	—	0	0	99	100	100	101

Abattoir	Slaughterings—week commencing 29 April	6 May	13 May	20 May	27 May	3 June	10 June	17 June
Nidderdale Foods	[1]—	[1]—	651	712	269	517	400	300
N W Meats	[1]—	[1]—	0	0	94	103	104	105
Nottingham Processing	[1]—	[1]—	0	0	272	300	298	136
Sims Foods	[1]—	[1]—	1,111	1,126	1,403	1,343	1,454	1,200
Skegness and District	[1]—	[1]—	0	0	90	99	98	100
R E Williams	[1]—	[1]—	0	0	90	91	93	95
Elliot	[1]—	[1]—	0	0	0	0	90	91
A B P Shrewsbury	[1]—	[1]—	1,834	2,660	2,406	2,449	2,572	2,379
D T Duggins/MMP	[1]—	[1]—	436	483	1,665	2,295	2,327	2,064
Alec Jarrett Ltd.	[1]—	[1]—	0	181	403	589	656	603
West Devon Meats	[1]—	[1]—	2,008	2,015	955	1,587	1,095	1,056
Stillmans	[1]—	[1]—	0	0	0	0	0	98
Abergavenny Slaughter	0	0	409	424	299	280	292	290
Welsh Country Foods	0	0	0	254	682	417	900	822
Messrs Dewi James	0	0	0	93	496	515	546	506
Buitelaar Kilmarnock	0	1,003	905	905	902	853	1,027	905
Glasgow Abattoir	0	624	722	804	694	680	646	651
Scottish Borders Abattoir	0	100	100	102	90	91	90	91
Scotch Premier Meat	0	1,150	929	1,084	916	867	981	899
McIntosh Donald	0	0	0	0	0	0	0	0
J Kelly's	105	169	343	306	319	276	399	416
Top Cut Meat Co.	0	107	255	387	453	407	533	479
Highland Meats	0	51	0	0	0	0	0	0
Matheson Jess	0	0	100	303	503	267	349	0
Sandyford Abattoir	0	0	207	204	238	204	185	227
Dundee Abattoir	0	0	1	11	13	18	0	0
Biggar Quality Meat	0	0	0	0	0	0	0	121
Orkney Meats	0	0	0	0	0	0	93	92
ABP Newry	0	201	255	343	499	497	510	378
ARDS Abattoir	0	207	255	358	369	596	530	523
Ballymena	0	188	0	306	292	294	355	287
Dungannon	0	206	0	362	600	614	644	504
Foyle Meats	0	202	0	0	0	0	0	0
Granville Meats	0	198	256	522	480	526	512	329
Lurgan Chilling Ltd.	0	201	252	359	494	489	497	443
Omagh Meats	0	204	426	371	390	506	493	536
W D Coleraine	0	202	630	714	389	436	471	461
Total	120	5,873	21,260	26,129	25,170	26,149	28,271	26,532

[1] Figures by abattoir for England for weeks commencing 29 April and 6 May are not available.

Bentley Colliery

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what mineral residues were discovered by his Agricultural Development Advisory Service in respect of discharges from Bentley colliery at Dam Hill drain; what action he is taking to stop them getting into the food chain in adjoining land; what discussions he has held with British Coal Property; and if he will make a statement. [34970]

Mr. Boswell: I am aware of ADAS involvement in the analysis of dredgings on behalf of the Selby internal drainage board prior to application of the dredgings to land. The spreading of dredgings from inland waters to agricultural land is exempt from licensing under the DOE's Waste Management Licensing Regulations 1994. However, landspreading of such waste is subject to quantitative limits and must result in benefit to agriculture or ecological improvement. Landspreading must also be carried out without endangering human health and without using processes or methods which would harm the environment. It is the responsibility of the Environment Agency to ensure compliance with the regulations.

Forest of Bowland

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will list those sites he proposes to designate as environmentally sensitive areas within the forest of Bowland. [34859]

Mr. Boswell: The Government have taken no decision to increase the number of environmentally sensitive areas in England.

Deregulation

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 2 April, *Official Report*, column *199*, if he will undertake an immediate review of past EC directives to remove all gold plating. [35109]

Mr. Boswell *[holding answer 2 July 1996]:* To review all past legislation implementing every EC directive would be a very substantial undertaking indeed. I do not believe that this would be beneficial or even a necessary exercise; and it would certainly involve disproportionate cost. Ministers in this Department have been fully aware for some time of the need to avoid gold plating of EC measures. Where this has taken place, it has been for clear policy reasons—for example, to provide enhanced

protection to UK consumers going beyond minimum European standards. The Chancellor of the Duchy of Lancaster announced to the House on 16 May the publication of a new "implementing EC law checklist". This checklist is designed to ensure that no unnecessary additional burdens are placed on business when EC directives are implemented in the UK.

Potato Prices

Mr. William O'Brien: To ask the Minister of Agriculture, Fisheries and Food if he will publish the wholesale and retail price of potatoes for each quarter period in the past two years. [34336]

Mr. Boswell: Data on wholesale prices are not available for potatoes. However, average prices received by potato growers in Great Britain, compiled from data collected by the Potato Marketing Board, are shown in the table.

The average prices paid by households in Great Britain for fresh potatoes, compiled from the national food survey, are also shown.

Pence per kg

	Average prices received by potato growers	*Average prices paid by households*
1994		
Q2	13.9	44.7
Q3	11.8	42.2
Q4	13.5	35.0
1995		
Q1	22.2	46.7
Q2	23.5	65.1
Q3	12.4	45.3
Q4	15.7	41.3
1996		
Q1	15.2	44.7

NORTHERN IRELAND

Public Bodies

Mr. Dowd: To ask the Secretary of State for Northern Ireland how many non-departmental public bodies he estimates will be in place by the end of 1996; and if he will list them and their functions. [33542]

Sir John Wheeler: The estimated number of non-departmental public bodies sponsored by the Northern Ireland Government Departments likely to be in place by the end of 1996 is 97.

A list of each of the bodies and their function has been placed in the Library.

Mr. Lindsay Robb

Mr. Mullin: To ask the Secretary of State for Northern Ireland if he will call for a report from the Royal Ulster Constabulary on how much Mr. Lindsay Robb was paid for his evidence in the case of Mr. Colin Duffy; and if he will make a statement. [34732]

Sir John Wheeler: Mr. Robb received no payment for giving evidence at the trial of Mr. Colin Duffy.

Departmental Subscriptions

Mr. Maclennan: To ask the Secretary of State for Northern Ireland if he will list all *(a)* periodicals, *(b)* magazines and *(c)* academic journals subscribed to by his Department in the last three months. [33756]

Sir John Wheeler *[holding answer 20 June 1996]:* The information is not available in the format requested. The available information has been placed in the Library.

Orange Order Marches

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will make a statement on the undertakings given by the RUC to the mediation network and residents of Garvaghy road for 1995 to the effect that there would not be a similar march on the same route in 1996. [35294]

Sir John Wheeler *[holding answer 2 July 1996]:* I understand no such undertakings were given by the RUC to mediation network or the residents of Garvaghy road.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what discussions he has had with the RUC about the re-routing of Orange order marches in Portadown away from predominantly nationalist areas. [35293]

Sir John Wheeler *[holding answer 2 July 1996]:* Whilst my right hon. and learned Friend the Secretary of State is regularly briefed on the security situation, the routing of parades is an operational matter for the RUC and he is not routinely briefed in detail in relation to the routes to be taken for individual marches.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors preclude the July Orange march to Drumcree following the 1985 route by Obins street. [35300]

Sir John Wheeler *[holding answer 2 July 1996]:* The RUC assess each parade under the terms of the Public Order (Northern Ireland) Order 1987 and impose conditions or re-route if they consider it appropriate.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will meet representatives of the Garvaghy road residents coalition to discuss the rerouting of the Orange order march away from Garvaghy road on 7 July. [35292]

Sir John Wheeler *[holding answer 2 July 1996]:* The routing of parades is an operational matter for the RUC and a meeting with the Secretary of State is unlikely to be of benefit at this time. I understand that the RUC both at headquarters and at local level have met representatives of the local residents and that a further meeting is planned.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Cann: To ask the Attorney-General what instruction has been given to the Crown Prosecution Service to *(a)* prepare a full account of a serious or

dangerous criminal event before proceedings have been finalised in cases involving mentally disordered persons and *(b)* transmit the account after completion of the criminal process (i) to clinicians responsible subsequently for the care of the patient and (ii) to C3 division of the Home Office. [34626]

The Attorney-General: The recommendations of the Jason Mitchell inquiry are under consideration. In particular, discussions are taking place between the mental health unit—formerly C3 division—of the Home Office and the Crown Prosecution Service about the way in which it may provide information in respect of restricted hospital patients, which will assist the mental health unit in carrying out its role.

HOUSE OF COMMONS

Fees Office Computer

Mr. McWilliam: To ask the Chairman of the Information Committee how many times and for what duration the Fees Office computer has been unavailable over the last three months; which company *(a)* supplied, *(b)* manufactured and *(c)* installed the machine; who is responsible for its maintenance; and on whose advice and when it was procured. [35371]

Mr. Waller: Responsibility for the procurement of computer systems and other goods and services for their departments lies with the head of each department of the House. I shall ask the Director of Finance and Administration as head of the relevant department to write to the hon. Member with the information requested.

Air Travel Costs

Sir Sydney Chapman: To ask the Chairman of the Administration Committee what further rebate agreements have been reached in respect of air travel costs since those announced on 1 November 1995, *Official Report*, column *253*. [35494]

Mr. Michael J. Martin: I am pleased to advise the hon. Member that, at its meeting on 14 May, the Administration Committee endorsed a proposed corporate option agreement between the House and British Midland whereby, subject to a certain minimum target per annum being achieved, and in return for the House dealing with British Midland as a preferred airline, BM will assist the House in reducing its air travel costs.

The incentive discount is on a sliding scale, so that the greater the flown revenue, the greater the percentage, as well as actual, rebate. All BM flights in the executive fare, three-day executive return and Eurobudget categories undertaken on parliamentary business by hon. Members, their staff or staff of the House, and booked through the Travel Office since 1 April, qualify.

As with the earlier agreement with British Airways, which continues, individual hon. Members or Committees who prefer to deal with other carriers or agents are still perfectly free to do so. However, I hope that hon. Members will bear in mind that for the House to benefit from this new agreement, BM flights do have to be booked through the Travel Office, as is the case with BA flights.

Cash Dispensing Machines

Mr. Gordon Prentice: To ask the Chairman of the Administration Committee what steps he is taking to ensure the security of cash dispensing machines located within the precincts of the Palace. [35681]

Mr. Michael J. Martin: I consider the current security arrangements for the cash dispensing machines entirely satisfactory. Cash dispensing machines have been available within the precincts of the Palace since 1990. In that time, there has been one incident where a machine has been damaged. The individual responsible was easily identified and action is being taken by the police and the House authorities.

SCOTLAND

Life Sentences

1. **Mr. Devlin:** To ask the Secretary of State for Scotland if he will make a statement on his proposals for automatic life sentences for second-time violent and sexual offenders in Scotland. [34169]

Mr. Michael Forsyth: Offenders who are convicted of a serious violent or sexual offence for a second time should be sentenced to life imprisonment. We are consulting on our proposals and will bring forward legislation at the earliest opportunity.

Inward Investment

14. **Mr. Butler:** To ask the Secretary of State for Scotland what was the level of investment from abroad that has been attracted to Scotland over the last six months. [34184]

Mr. George Kynoch: In the six months to March 1996, overseas-owned companies chose Scotland as the location for 24 inward investment projects involving planned investment of more than £550 million and the expected creation or safeguarding of more than 6,000 jobs.

Beef and Dairy Farmers

15. **Mr. Robert G. Hughes:** To ask the Secretary of State for Scotland what measures he is taking to keep the Scottish beef and dairy farming community fully informed of measures being taken by the Government. [34185]

Mr. Michael Forsyth: We have put in place a regular newsletter sent to all beef and dairy farmers in Scotland. The latest edition was issued this week and I am placing copies in the Library. We have also established and publicised telephone helplines.

Curfew Orders

16. **Mr. Congdon:** To ask the Secretary of State for Scotland if he will make a statement on his proposals to give the courts new powers to impose curfew orders, monitored by electronic tags. [34186]

Lord James Douglas-Hamilton: We believe that electronically monitored orders could usefully add to the range of sentencing options available to the Scottish courts. We look forward to introducing legislative proposals which will offer the Scottish courts this new disposal.

Enterprise Zones

17. **Dr. Godman:** To ask the Secretary of State for Scotland what recent discussions he has held with the representatives of local authorities and enterprise companies concerning the enterprise zones in their localities. [34187]

Mr. Kynoch: I discussed Inverclyde enterprise zone with Renfrewshire Enterprise on 30 November last year and Lanarkshire enterprise zone with Lanarkshire Development Agency on 17 April this year.

British Aerospace, Prestwick

18. **Mr. Foulkes:** To ask the Secretary of State for Scotland what action he has taken following his visit to British Aerospace at Prestwick on Monday 10 June in respect of employment prospects at Prestwick. [34188]

Mr. Michael Forsyth: I can assure the hon. Gentleman that we shall explore all appropriate means to assist British Aerospace to secure the site's long-term viability. Since 10 June, our officials have had extensive contacts with senior management of British Aerospace to seek to identify what scope may exist to help the company attract additional work to Prestwick. I am taking a close interest in the progress of these discussions.

Council Housing

19. **Sir David Steel:** To ask the Secretary of State for Scotland what is the proposed level of central Government expenditure for the Scottish borders for public sector housing in each year to the year 2000. [34189]

Mr. Raymond S. Robertson: The Scottish Office does not incur expenditure directly on public sector housing in the Scottish borders. However, housing benefit will be paid to some public sector tenants and expenditure will be incurred by local housing authorities and by Scottish Homes. I congratulate the former Berwickshire district council on having been the first local authority to transfer its entire stock to a housing association.

26. **Mr. Watson:** To ask the Secretary of State for Scotland if he will make a statement on the changes in council housing expenditure in Glasgow in real terms between 1989 and 1999. [34196]

Mr. Robertson: Decisions on the allocation of resources to individual authorities for 1998–99 will not be taken until early in 1998 following completion of the 1997 public expenditure survey. Expenditure by Glasgow district council on its own stock in 1989–90 was £129 million at 1995–96 prices.

Football

20. **Mr. Canavan:** To ask the Secretary of State for Scotland if he will meet representatives of the Scottish Football Association to discuss the provision of public funds for the development of football. [34190]

Mr. Raymond S. Robertson: I meet representatives of the Scottish Football Association from time to time to discuss a range of relevant issues.

Taxation

22. **Mr. Jessel:** To ask the Secretary of State for Scotland what recent representations he has received from Scots on taxation matters. [34192]

31. **Mr. Amess:** To ask the Secretary of State for Scotland what recent representations he has received on taxation levels in Scotland. [34201]

Mr. Kynoch: We have received a number of representations expressing concern. This Government do not propose to introduce taxation rates in Scotland which differ from those in the rest of the United Kingdom.

Homelessness

23. **Mr. Welsh:** To ask the Secretary of State for Scotland what recent steps he has taken to tackle homelessness in Scotland. [34193]

Mr. Raymond S. Robertson: We are currently consulting on a revised draft code of guidance on homelessness. This year, we are providing grants of more than £400,000 to voluntary bodies for homelessness projects. Tackling homelessness is also a national priority for both local housing authorities and Scottish Homes.

Forestry Roads

24. **Mr. Maclennan:** To ask the Secretary of State for Scotland what representations he has received about the imposition of weight restrictions on forestry roads; and if he will make a statement. [34194]

Mr. Kynoch: The Scottish Office Development Department received five representations about proposed weight restriction orders published by the former Highland regional council.

Health Service

25. **Ms Rachel Squire:** To ask the Secretary of State for Scotland if he will make a statement on what measures he has taken to ensure that patient care is the first priority of NHS management practices. [34195]

Lord James Douglas-Hamilton: The priorities and planning guidance for the NHS in Scotland each year requires all those working in the NHS to give patient care the highest priority.

Orchard House Nursing Home

27. **Mr. Hood:** To ask the Secretary of State for Scotland if he will publish the report of the inquiry into the management practices at Orchard House nursing home. [34197]

Lord James Douglas-Hamilton: Decisions about the publication of this report are for Lanarkshire health board.

Prison Construction (Kilmarnock)

29. **Mr. Duncan Smith:** To ask the Secretary of State for Scotland if he will make a statement on his proposals to build a new privately financed prison at Bowhouse, Kilmarnock. [34199]

Lord James Douglas-Hamilton: The proposed new 500-place prison will be designed, constructed, managed and financed by the private sector under the terms of the Government's private finance initiative.

Mental Incapacity

30. **Mr. Nicholas Winterton:** To ask the Secretary of State for Scotland if he will make a statement on the Scottish Law Commission report on mentally incapacitated adults. [34200]

Lord James Douglas-Hamilton: As my right hon. Friend the Secretary of State announced on 18 June, *Official Report*, column *409*, careful consideration has been given to the Scottish Law Commission's report on incapable adults. The report raises a number of issues which are both important and sensitive, and proposes many changes in the law relating to legal procedures for looking after the property, financial affairs and personal welfare of mentally incapable adults. Whilst my right hon. Friend acknowledges the consultation which has already been carried out by the commission in coming to the conclusions it has reached, he also recognises that many people will have strong views on the proposals which the commission has made.

Consequently, he has decided that, before legislating on the basis of the commission's proposals, there should be further consultation. It is proposed to issue a consultation paper this summer.

Forestry

33. **Mr. Pawsey:** To ask the Secretary of State for Scotland what was the number of persons employed in the forestry service in 1989; how many acres were then in its administration; and what are the current figures. [34203]

Mr. Kynoch: The Forestry Commission employed 5,118 people and managed 1,144,000 hectares of land in 1989. It currently employs 3,646 people and manages 1,080,000 hectares of land.

36. **Mr. Sweeney:** To ask the Secretary of State for Scotland what plans he has to devolve forestry administration to local communities. [34206]

Mr. Kynoch: We recently announced a series of new measures to allow local communities to become involved in the management of woodlands. When the Forestry Commission offers woodlands for sale, local communities will be able to buy them at the valuation price where this will help to promote the social and economic development of the community. Some local communities have already entered into forestry partnerships with the commission, and this is a flexible way of increasing communities' participation in forest management. The commission has recently published a practical guide, "Involving Communities in Forestry", a copy of which is in the Library.

Lenient Sentences

34. **Mr. Jacques Arnold:** To ask the Secretary of State for Scotland if he will make a statement on extending the Crown's right to appeal against lenient sentences to Scotland. [34204]

Lord James Douglas-Hamilton: The Government have announced proposals to extend to summary proceedings the Crown right of appeal against unduly lenient sentences.

Radioactive Waste

35. **Mr. Wray:** To ask the Secretary of State for Scotland how much radioactive waste has been dumped in Scotland in the last 10 years; and what plans he has to ban the dumping of imported radioactive waste in Scotland. [34205]

Mr. Kynoch: Since 1986, some 5,500 cu m of low activity solid waste has been disposed of in Scotland by nuclear sites. The position of the UK Government in relation to the importation of radioactive waste is set out in the White Paper, "Review of Radioactive Waste Management Policy", Cm 2929.

Miscarriages of Justice

37. **Mr. David Marshall:** To ask the Secretary of State for Scotland when he informed the members of the Sutherland committee on appeals criteria and alleged miscarriages of justice of his response to their recommendations; and if he will make a statement. [34207]

Lord James Douglas-Hamilton: My right hon. Friend discussed the Government's conclusions with Sir Stewart Sutherland and Lord Ross, the Lord Justice Clerk, on Friday 7 June. He subsequently made a statement to the Scottish Grand Committee in Ayr on 10 June, the day the committee's report was published. The White Paper, "Crime and Punishment", published on 17 June, details the Government's response to the committee's report.

Ministerial Visits

Mr. Harvey: To ask the Secretary of State for Scotland if he will list those parliamentary constituencies he has visited in the last three months on official business and those constituencies he intends to visit in the next three months; and if he will make a statement. [33859]

Mr. Michael Forsyth: Since 20 March I have visited the following constituencies on official or parliamentary business:

Constituency

Stirling
Livingston
Tweeddale, Ettrick and Lauderdale
Edinburgh, Central
Hamilton
Glasgow, Hillhead
Gordon
Perth and Kinross
Aberdeen, East
Dundee, East
Kincardine and Deeside
Glasgow, Govan
Glasgow, Central
Edinburgh, West
Dunfermline, West
Ayr

It is not my practice to give details of my future programme, but my office would normally write to the hon. Members concerned before visits to their constituencies on official business.

Saltire

Mr. Gordon Prentice: To ask the Secretary of State for Scotland on which dates the Saltire is flown from public buildings. [35001]

Lord James Douglas-Hamilton: Where a Scottish Office building has two or more flagstaffs, the Saltire is flown on the following days in addition to the Union flag:

6 February: Her Majesty's accession

19 February: Birthday of the Duke of York

10 March: Birthday of the Prince Edward

March: Commonwealth day (second Monday)

21 April: Birthday of Her Majesty the Queen

2 June: Coronation day

June: Official celebration of Her Majesty's birthday (date to be notified)

10 June: Birthday of the Duke of Edinburgh

1 July: Birthday of the Princess of Wales

4 August: Birthday of Her Majesty Queen Elizabeth the Queen Mother

15 August: Birthday of the Princess Royal

21 August: Birthday of the Princess Margaret

November: Remembrance day (second Sunday)

14 November: Birthday of the Prince of Wales

20 November: Her Majesty's wedding day

30 November: St. Andrew's day.

Bible John Case

Mr. McFall: To ask the Secretary of State for Scotland what was the cost of the Strathclyde police inquiry into the Bible John case arising from the exhumation of the body. [34884]

Lord James Douglas-Hamilton: Strathclyde police estimate the costs, excluding overhead costs, to be as follows:

Police salary costs: £26,318

Other costs: £6,204

Professor Donald Macleod

Mr. Wilson: To ask the Secretary of State for Scotland what were the costs to public funds of bringing to court the case against Professor Donald Macleod, broken down to show those relating to *(a)* the police, *(b)* the Procurator Fiscal Service and *(c)* the Crown Office. [34963]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that the costs of summary cases which proceed to trial can vary considerably depending on a number of factors, including the length of the trial. Procurators fiscal do not keep a record of the amount of time spent on individual cases. The information requested about the cost of the case against Professor Macleod is not therefore readily available and could be obtained only at disproportionate cost. Lothian and Borders police have been able to calculate that their salary costs amounted to approximately £3,000.

Mr. Wilson: To ask the Secretary of State for Scotland what action the Crown Office proposes to take following the summing up in the case against Professor Donald Macleod. [35255]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has asked the procurator fiscal to submit a report on the trial. A decision on whether any further action should be taken will be made by Crown counsel following a consideration of that report.

Sex Offenders

Lady Olga Maitland: To ask the Secretary of State for Scotland if he will make a statement on his proposals to require sex offenders to notify the police of any change of address in Scotland. [34177]

Mr. Michael Forsyth: The White Paper, "Crime and Punishment" published on 17 June, set out my proposals to ensure that convicted sex offenders should be required to register their address with the police. I hope to introduce legislation for this purpose as soon as possible.

Under-age Drinkers

Mr. Whittingdale: To ask the Secretary of State for Scotland if he will make a statement on his proposals to provide the police with powers to confiscate alcoholic drink from under-age drinkers in public places in Scotland. [34175]

Lord James Douglas-Hamilton: My right hon. Friend the Secretary of State has announced proposals to allow the police to confiscate alcoholic drink from under-age drinkers in public places. This will allow the police to respond in a practical way to the problem without criminalising the behaviour of under-age drinkers.

WALES

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales if he will publish the definition of the A55 and M4 corridors in Wales outwith which he expects inward investment into Wales to channel at least 20 per cent. of new jobs coming into Wales; and what was the number and proportion of such jobs which went into the area outside these two corridors in each of the past three years. [34943]

Mr. Hague: For the purpose of Welsh Development Agency strategic guidance and targets, the eastern M4 corridor is defined as the coastal strip running from Chepstow in the east to Pyle in the west; the northern boundary is coincident with the southern boundary of the programme for the valleys area, extended east to include the southern half of Monmouthshire. In north Wales, from 1 April 1996, the eastern A55 corridor is defined as the non-rural part of the Wrexham county borough council area, the whole of Flinshire and the northern part of Denbighshire, including the towns of St. Asaph, Rhyl and Prestatyn. This is a slightly larger area than has previously been used. An illustrative map is being produced and, as soon as it is available, I will arrange for a copy to be placed in the Library of the House.

I will also arrange for the chief executive of the WDA to write to the hon. Member providing details of the jobs created outside these corridors in each of the past three years and for a copy of his letter to be placed in the Library of the House.

Food Inspections

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will publish the latest available information on the percentage of food health inspections carried out by each of the old district councils, indicating for each council *(a)* the number of inspections planned, *(b)* the number carried out, *(c)* the number of inspection staff employed and *(d)* the ratio of that number to (i) the population of the district and (ii) the number of food outlets requiring inspection. [34490]

Mr. Jonathan Evans: Information on the number of food health inspections planned and the number of inspection staff employed by the former district councils in Wales is not held centrally. The number of food outlets in each of the former districts, along with the number of inspections carried out during 1995 by each council, are detailed in the table:

Number of premises and inspections Welsh districts 1995

District	*Number of premises*	*Inspections*
Aberconwy	1,029	733
Alyn and Deeside	937	432
Arfon	822	131
Blaenau Gwent	690	178
Brecknock	754	302
Cardiff City	2,668	863
Carmarthen	895	270
Ceredigion	1,096	632
Colwyn	1,037	363
Cynon Valley	119	200
Delyn	725	639
Dinefwr	491	245
Dwyfor	653	289
Glyndwr	849	149
Islwyn	560	162
Llanelli	863	116
Lliw Valley	556	272
Meirionnydd	855	256
Merthyr Tydfil	611	317
Monmouth	730	315
Montgomeryshire	932	450
Neath	685	285
Newport	1,047	315
Ogwr	1,314	490
Port Talbot	511	136
Pembrokeshire	1,105	656
Radnorshire	331	82
Rhondda	760	320
Rhuddlan	956	506
Rhymney Valley	1,026	306
South Pembrokeshire	1,222	456
Swansea	1,775	1,067
Taff–Ely	800	310
Torfaen	747	499
Vale of Glamorgan	964	657
Wrexham Maelor	1,017	315
Isle of Anglesey/Ynys Môn	688	221

Trunk Road Maintenance (Powys)

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement on trunk road maintenance spending in Powys. [35256]

Mr. Hague: The allocation for trunk road current maintenance in Powys for 1996–97 is £2,497 million.

Voluntary Sector (Funding)

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make it his policy to ensure that changes in the arrangements for the funding of the voluntary sector in Wales do not interrupt programmes already in being; and if he will make a statement. [35257]

Mr. Hague: It is my policy to consult the voluntary sector over changes in arrangements for funding the sector.

Mr. Carlile: To ask the Secretary of State for Wales if he will make a statement on his proposals for the allocation of funding to the voluntary sector in Wales. [35258]

Mr. Hague: The Government are committed to a strong and thriving voluntary sector in Wales. Funding from my Department supports the development of the voluntary sector and underpins the considerable contribution which the voluntary sector makes to the achievement of the Government's policy objectives.

Written Answers to Questions

Thursday 4 July 1996

TRANSPORT

Railways (Fencing)

Mr. Gordon Prentice: To ask the Secretary of State for Transport (1) what legislative provisions regulate physical access to the permanent way; and what responsibilities Railtrack has to protect the public by ensuring that the railway is adequately fenced; [34736]

(2) how many miles of unfenced railway line run through urban areas. [34737]

Mr. Watts: Under section 16 of the Railway Regulation Act 1840, section 23 of the Regulation of Railways Act 1868, section 55 of the British Transport Commission Act 1949 and railway byelaws, it is an offence to trespass on the railway.

Railtrack has a statutory duty under section 10 of the Railways Regulation Act 1842 and section 68 of the Railways Clauses Consolidation Act 1945 to ensure that fencing is provided and maintained for its railway lines. In certain limited cases, lines may be exempt from the requirement for fencing by the terms of the old private Act or the light railway order which originally authorised their construction. However, I understand that in some of these cases fencing is in fact provided even though the Act or order does not require it.

Following a review of existing railway safety legislation, the Health and Safety Commission has consulted on new draft regulations, including one which would require infrastructure controllers, so far as is reasonably practicable, to prevent unauthorised access by persons or animals which could endanger health or safety.

Railtrack is also subject to the same duties and liabilities in respect of persons on its premises as any other public limited company. These duties include the general requirements of the Health and Safety at Work, etc. Act 1974, including the duty to conduct the undertaking in such a way as to ensure, so far as is reasonably practicable, that persons are not exposed to risks to their health or safety.

M5 Link Road

Mr. Morgan: To ask the Secretary of State for Transport what level of delay in the completion of the M5 link road with the second Severn crossing will trigger penalty clauses against the contractors. [35676]

Mr. Watts: Any delay in substantial completion of the M49, which links the M5 to the second Severn crossing, beyond the contract completion date would render the contractor liable for a sum based on liquidated damages.

Trains (Service Checks)

Ms Short: To ask the Secretary of State for Transport how often InterCity West Coast trains are given a full service check; what changes there have been to this maintenance schedule within the last 12 months; and if he will make a statement. [35083]

Mr. Watts: This is a matter for InterCity West Coast, the train operator.

I understand that a full range of maintenance is undertaken, varying from daily maintenance to complete overhaul. There have been no changes in maintenance schedules within the last 12 months.

EC Bus and Coach Directive

Mr. Steen: To ask the Secretary of State for Transport when he expects to introduce regulations to implement the EC bus and coach directive. [34990]

Mr. Norris: The Commission has not yet made a proposal for a European bus and coach directive. The implementation dates of the directive will no doubt be the subject of negotiation after the proposal has been tabled.

Air Safety

Mr. Key: To ask the Secretary of State for Transport on what date he expects to ratify the joint aviation authorities agreement on joint airworthiness requirements No. 36 on noise. [35510]

Mr. Norris: The JAA adopted JAR No. 36 on noise on 24 June 1996. The practice is that new JARS are incorporated into EC legislation.

Rolling Stock

Mr. Gordon Prentice: To ask the Secretary of State for Transport what steps he is taking to ensure that railway rolling stock destined for repair and maintenance arrives at the depot by rail. [35663]

Mr. Watts: Responsibility for deciding how and where passenger rolling stock is transported for repair and maintenance lies with the train operators and the passenger rolling stock leasing companies. In some instances, the nature of the fault renders rolling stock unsafe for transport by rail.

TREASURY

Customs and Excise

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will make a statement on the recommendations contained in Sir Richard Scott's report relating to Customs and Excise legislation and procedures. [35979]

Mr. Kenneth Clarke: Sir Richard Scott made a number of recommendations in his report relating to Customs and Excise legislation and procedures. These may be found in chapter K4 of his report. All his recommendations have either been accepted by the Government as they stand or, in a few cases, following detailed consideration by the commissioners of Customs and Excise and their legal advisers, the concerns reflected

in Sir Richard's recommendations will be met in an alternative manner to that proposed. The Government's detailed response to each recommendation is contained in a paper which I have placed in the Libraries of both Houses.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomatic Relations

Mr. Galbraith: To ask the Secretary of State for Foreign and Commonwealth Affairs when diplomatic relations were *(a)* suspended and *(b)* restored between the United Kingdom and (i) Iran, (ii) Iraq and (iii) Syria during the past 15 years. [35316]

Mr. Hanley: Relations with Iran were formally broken by Iran on March 1989. We restored relations with Iran in September 1990. Relations with Iraq were suspended in February 1991 and have not been restored. Relations with Syria were suspended in October 1986 and restored in November 1990.

Missing Personnel

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent action the UN has taken in respect of US personnel missing in action in *(a)* Vietnam and *(b)* North Korea. [35153]

Sir Nicholas Bonsor: We are unaware of any recent UN activity in this area.

HEALTH

Prescription Charges (Crohn's Disease)

Mr. Hanson: To ask the Secretary of State for Health (1) for what reasons individuals suffering from Crohn's disease who need medication for life are not exempt from prescription charges; [35096]

(2) what plans he has to make prescriptions free for people suffering from Crohn's disease. [35106]

Mr. Malone: We have no plans to extend the exemption arrangements. In 1996–97, we expect 85 per cent. of prescriptions to be dispensed free, thanks to our extensive exemption arrangements, which are among the most generous in Europe. Many people with Crohn's disease will benefit from these.

NHS Pension Scheme

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list all categories of staff working in the NHS who are not eligible to join the NHS pension scheme and the number of people currently in each category; what estimate he makes of the extra public expenditure that would be involved in giving full NHS pension scheme eligibility to each of these categories; and if he will make a statement. [35086]

Mr. Malone: All staff employed by the national health service are eligible to join the NHS pension scheme. Others who work in the NHS such as chairmen of trusts and health authorities, some self-employed contractors and the staff of contractors are not eligible. The costs for each group would depend upon take-up, whether this scheme would replace current pension arrangements and the salaries of the staff concerned, as well as the factors set out in my reply to the hon. Member for Lancashire, West (Mr. Pickthall) on 26 June at columns *147–48*.

NHS Trusts

Mr. Simon Hughes: To ask the Secretary of State for Health how many NHS trusts *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings; and if this is in each case (i) under a statutory requirement or (ii) voluntary. [35089]

Mr. Malone: All national health service trusts are statutorily required to hold one annual meeting which is open to the public. No information is available centrally on the many NHS trusts which voluntarily admit the public to their board meetings.

All NHS trusts which are considering dissolution are statutorily required to consult the relevant community health council. No information is available centrally on individual NHS trusts which voluntarily conduct other consultation exercises either with the public or with outside commercial interests.

There is no statutory requirement for NHS boards to maintain a register of members' interests, but all NHS trusts are required by the codes of conduct and accountability to do so. These registers are available for inspection by the public.

There is no obligation on NHS trusts to publish the agendas and minutes of their meetings. Information is not available centrally on how many NHS trusts voluntarily do so.

General Practitioners (Practice Lists)

Mr. Hanson: To ask the Secretary of State for Health how many patients have been removed by general practitioners from their practice lists in England for each of the last five years. [35107]

Mr. Malone: The information required is available only from 1992 and is as follows:

1992–93: 78,993
1993–94: 70,997
1994–95: 82,831

The majority of de-registrations are due to deaths or moving home.

Tuberculosis

Dr. Goodson-Wickes: To ask the Secretary of State for Health if the interdepartmental working group on tuberculosis has completed its report. [36128]

Mr. Horam: Yes. Two reports of the interdepartmental working group on tuberculosis, entitled "Recommendations for the prevention and control of tuberculosis at local level" and "Tuberculosis and homeless people", have been released today. Copies have been placed in the Library.

Mr. French: To ask the Secretary of State for Health if he has completed his consideration of the advice he has received from the Joint Committee on Vaccination and Immunisation on the future of the schools Bacillus Calmette-Guerin immunisation programme. [36105]

Mr. Horam: We have accepted fully the advice of the Joint Committee on Vaccination and Immunisation that Bacillus Calmette-Guerin should be routinely offered to all schoolchildren between the ages of 10 and 14. The advice we have received from the JCVI is in line with the current recommendation as set out in the Department of Health's memorandum "Immunisation Against Infectious Disease", copies of which are available in the Library. We would therefore expect all health authorities to offer BCG immunisation routinely to school children.

Infant Formulae

Mr. French: To ask the Secretary of State for Health when he will issue guidance on the donation of informational or educational equipment or materials in accordance with section 21(3) of the Infant Formula and Follow-on Formula Regulations 1995. [36106]

Mr. Horam: Draft guidance was issued for public consultation on 2 July, copies of which have been placed in the Library. It contains:

> proposed good practice to help ensure that information provided on infant feeding is objective and consistent; and proposed guidelines and criteria on the donation of informational or educational materials by the infant formula industry.

Comments have been requested by 10 September 1996.

Medicinal Drugs

Mr. Flynn: To ask the Secretary of State for Health what action he is taking to reduce the deaths by poisoning attributed to *(a)* paracetamol, *(b)* co-proxamol and *(c)* dotheipin. [35452]

Mr. Malone: No immediate measures additional to those already in place are proposed. Paracetamol co-proxamol and dothiepin are effective drugs which are safe at the dosages recommended on the labelling. The Medicines Control Agency evaluates all new information on the safety of medicines carefully, particularly in relation to the controls on their availability.

Mr. Flynn: To ask the Secretary of State for Health what action is he taking to reduce the incidence of adverse reaction to medicinal drugs. [35456]

Mr. Malone: All medicines that are effective have adverse reactions, some minor and some more serious. Effective methods and procedures are in place to reduce the incidence of these in patients taking medicines. Medicines undergo rigorous evaluation of quality, efficacy and safety by the licensing authority, and its expert advisory bodies before being allowed on the market, to ensure that the benefits of medicines outweigh their risks. Product information for doctors and patients give clear instructions on use and provide warnings and precautions on adverse reactions in order to minimise the likelihood and impact of adverse reactions.

Once marketed, medicines are monitored closely to identify previously unrecognised adverse reactions or changes in their frequency or severity. Effective procedures exist for investigation, expert evaluation and action on identified adverse reactions. Changes are made to a medicine's marketing authorisation and product information to minimise the occurrence and impact of any newly identified adverse reactions. Rarely, when risks are shown to outweigh benefits, a medicine may be withdrawn from the market. Doctors and pharmacists, and patients are informed of the adverse reactions of medicines they use through product information. A bulletin entitled "Current Problems in Pharmacovigilance" is also distributed to doctors and pharmacists quarterly to inform them of new adverse drug reactions and provide advice on the safe use of medicines. For more urgent issues communication by letter and electronic communication network is used.

Ambulance Services

Mr. Hoyle: To ask the Secretary of State for Health, pursuant to his answer of 12 June, *Official Report*, column *89* in which two ambulance services the evaluation was commissioned; and how much is being spent on it. [35453]

Mr. Horam: The evaluation was conducted on Derbyshire Ambulance Service NHS trust and Essex Ambulance Service NHS trust.

The cost of the research was £52,462.

Mr. Austin Mitchell: To ask the Secretary of State for Health how many health service commissioners have market tested the provision of ambulance services; and with what results. [35580]

Mr. Horam: South Staffordshire Health Authority has market tested ambulance services for a part of its area which bordered on Greater Birmingham. The contract was retained by the West Midlands ambulance service.

Addictive Substances

Mr. Flynn: To ask the Secretary of State for Health what assessment he has made of the relative physically addictive properties of *(a)* nicotine, *(b)* alcohol, *(c)* heroin, *(d)* cocaine, *(e)* ecstasy, *(f)* benzodiazepines, *(g)* caffeine and *(h)* cannabis. [35457]

Mr. Bowis: There is no scientific scale of "addictiveness" covering all these substances.

Bandages

Mr. Terry Davis: To ask the Secretary of State for Health when *(a)* Biflex Thuasne bandages and *(b)* Velband bandages were last available on prescription from the national health service; and what alternative bandages are currently available on prescription. [35507]

Mr. Malone: Biflex Thuasne and Velband bandages have never been available on general practitioner prescription. A number of bandages are available on GP prescription and these are listed in the drug tariff, copies of which will be placed in the Library.

Read Codes

Mr. Morgan: To ask the Secretary of State for Health, pursuant to his answer of 1 July, *Official Report*, column *334* if he will place in the Library a copy of the report of the joint computing group of the British Medical Association and the Royal College of General Practitioners into medical coding and classifications. [35697]

Mr. Horam: The report will be placed in the Library.

TRADE AND INDUSTRY

Producer and Supplier Information

Mr. Sheerman: To ask the President of the Board of Trade how many new initiatives his Department has taken in the current year to improve the flow of information between producers and their suppliers. [35476]

Mr. Page: The development of successful partnerships between customers and suppliers is of great importance in promoting the competitiveness of UK industry. The Department works closely with companies, trade associations and others on a wide range of activities and initiatives to encourage this. However, no central record of such supply chain initiatives is held.

British Energy

Mrs. Beckett: To ask the President of the Board of Trade what is the cash value of the liabilities of British Energy that will be met by the segregated fund. [35616]

Mr. Lang: British Energy's expected future payments in respect of nuclear liabilities covered by the segregated fund were approximately £3.7 billion undiscounted, as at March 1996.

Terrorist Damage

Mr. Eastham: To ask the President of the Board of Trade, pursuant to his answer of 27 June, *Official Report*, column *202*, in respect of compensation for terrorist damage, for how many years such insurance has not been available in Northern Ireland. [35526]

Mr. Nelson: Insurance cover for losses arising from damage to industrial and commercial property caused by terrorist activity has been unavailable in Northern Ireland for 22 years.

Barmac

Mr. Charles Kennedy: To ask the President of the Board of Trade, pursuant to his answer of 1 July, *Official Report*, column *262*, if he will detail the outcome of the 24 June meeting in respect of the Barmac N166 site objective 1 application; and if he will make a statement. [35618]

Mr. Eggar: The meeting between officials of the European Commission and my Department was exploratory and to discuss a draft application; no decisions were made. Commission officials indicated what further information would be needed before they could reach a final conclusion.

Court Facilities

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department how many times since 1992 witnesses have given evidence in court *(a)* behind screens and *(b)* with the use of voice distorters. [34883]

Mr. Streeter: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer. I have accordingly asked the chief executive to reply direct.

Letter from Michael Huebner to Mr. Jim Cunningham, dated 4 July 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about witnesses and the use of screens and voice distorters in court since 1992.

These figures are not held centrally and could only be obtained at a disproportionate cost.

Companies (Payments)

Mrs. Roche: To ask the President of the Board of Trade what has been the cost to public funds of the consultation that he has undertaken on whether large companies should state their payment practice in their accounts. [35640]

Mr. Page: As the consultation was launched only on 27 June, it is impossible to judge at this stage what the total cost to public funds will be. However, the consultative document itself was produced in-house to keep production costs down. We estimate the printing and reprographic costs for the nearly 2,000 copies issued so far to be approximately £1,800. The only other significant item of expenditure to date has been the cost of mailing the document to consultees.

LORD CHANCELLOR'S DEPARTMENT

Remand Prisoners

Ms Corston: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average time that prisoners are held on remand in custody awaiting trial. [34516]

Mr. Streeter: For proceedings in the magistrates courts it is possible to give only the average number of whole weeks spent in custody between first listing and completion of the case, which in 1995 was seven weeks. That figure includes those cases which were subsequently committed to the Crown court, where the average waiting time between committal and start of trial in 1995–96 was 11.4 weeks.

Youth Courts

Mr. Michael: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the average time an indictable offence took *(a)* from offence to charge or summons, *(b)* from charge or summons to first listing, *(c)* from first listing to completion and *(d)* from offence to completion for cases proceeding through youth courts for (i) England and Wales, (ii) each region in England and Wales and (iii) each police force area in the latest year for which figures are available. [35622]

Mr. Streeter: The latest full year for which figures are available is 1995. The information requested is contained in the table. The table includes information on all indictable offences—both indictable only and triable either way. The source of the figures is the magistrates courts time intervals survey. This survey collects information on all defendants in indictable cases in one sample week of February, June and October each year.

Caution needs to be exercised when comparing figures from different areas because sampling error in the figures could make any conclusions invalid. This is especially true for areas where the sample size was less than 100. The figure for areas with a sample size of less than 25 have been omitted as the level of sampling error makes them unreliable and potentially misleading.

Average time taken for indictable offences heard in the youth court by stage of proceedings and by standard region and police force area, 1995, England and Wales

Average number of days	*Offence to charge or summons*	*Charge or summons to first listing*	*First listing to completion*	*Offence to completion*	
England and Wales	40	27	67	134	
English regions and Wales					
North England	31	23	62	116	
North West England	37	27	66	129	
Yorkshire and Humberside	29	23	69	122	
East Midlands	31	25	60	116	
West Midlands	33	27	74	134	
East Anglia	41	31	51	123	Sample size less than 100
Greater London	58	27	74	160	
South East (except London)	55	30	63	148	
South West	41	29	59	129	
Wales	28	28	68	123	
Police force area					
Avon and Somerset	61	24	48	134	Sample size less than 100
Bedfordshire	*	*	*	*	Sample size less than 25
Cambridgeshire	*	*	*	*	Sample size less than 25
Cheshire	39	28	69	135	Sample size less than 100
Cleveland	27	24	70	122	Sample size less than 100
Cumbria	46	25	32	103	Sample size less than 100
Derbyshire	38	30	55	122	Sample size less than 100
Devon and Cornwall	35	31	47	113	Sample size less than 100
Dorset	*	*	*	*	Sample size less than 25
Durham	42	21	55	118	Sample size less than 100
Dyfed-Powys	*	*	*	*	Sample size less than 25
Essex	39	30	44	114	Sample size less than 100
Gloucestershire	37	24	72	134	Sample size less than 100
Greater Manchester	25	24	62	112	
Gwent	36	24	49	110	Sample size less than 100
Hampshire	67	28	63	159	
Hertfordshire	46	38	62	145	Sample size less than 100
Humberside	40	13	67	120	Sample size less than 100
Kent	72	30	63	164	Sample size less than 100
Lancashire	51	28	62	140	Sample size less than 100
Leicestershire	33	22	92	148	Sample size less than 100
Lincolnshire	38	28	44	110	Sample size less than 100
Merseyside	45	29	74	148	
Metropolitan	58	27	74	160	
Norfolk	35	27	54	117	Sample size less than 100
North Wales	14	28	74	116	Sample size less than 100
North Yorkshire	46	27	40	113	Sample size less than 100
Northamptonshire	*	*	*	*	Sample size less than 25
Northumbria	24	23	67	114	
Nottinghamshire	21	23	53	97	
South Wales	30	27	70	127	
South Yorkshire	35	28	66	129	Sample size less than 100
Staffordshire	36	27	71	134	
Suffolk	*	*	*	*	Sample size less than 25
Surrey	57	35	64	156	Sample size less than 100
Sussex	45	28	81	154	Sample size less than 100
Thames Valley	40	27	62	129	Sample size less than 100
Warwickshire	29	22	55	106	Sample size less than 100
West Mercia	32	31	44	107	Sample size less than 100
West Midlands	33	28	110	172	
West Yorkshire	18	23	79	119	
Wiltshire	29	35	57	122	Sample size less than 100

Crown Courts

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department how many Crown court centres have *(a)* separate waiting areas and *(b)* separate eating facilities for victims and their families; and what plans he has to increase the number of Crown court centres with these facilities. [34880]

Mr. Streeter: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from Michael Huebner to Mr. Jim Cunningham, dated 4 July 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the provision of separate waiting and eating facilities in Crown Courts for victims and their families.

Of the 92 Crown Court centres, 79 provide separate witness and/or special witness waiting rooms. These are specifically for the use of victims appearing as prosecution witnesses. No Crown Court has designated eating facilities for victims or their families and there are currently no plans to provide them.

It would be difficult to increase the number of existing Crown Courts with permanent separate waiting facilities because of the physical constraints of the buildings themselves. However, all new Crown and Combined Courts include an area to give privacy to victims/prosecution witnesses while waiting to give evidence. One waiting area is provided for each criminal courtroom. Where there are no permanent separate waiting areas, special arrangements can be made for victims and their families should the need arise.

Legal Aid

Sir Ivan Lawrence: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Lord Chancellor intends to publish his conclusions on the reform of the legal aid system in England and Wales. [35650]

Mr. Streeter: The Lord Chancellor has today published a White Paper, "Striking the Balance", which sets out the Government's policy for the reform of legal aid in England and Wales. Copies of the White Paper are available in the Vote Office.

ENVIRONMENT

Council Tax

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what estimate he has made of how many local authorities will contract out the administration and enforcement of the council tax, community charge and non-domestic rates in the next two years; and what percentage this represents of the whole. [34857]

Sir Paul Beresford: None. Decisions as to whether to contract out council tax, community charge and non-domestic rates work are for individual local authorities.

Miss Patricia Eaton

Mr. Raynsford: To ask the Secretary of State for the Environment what has been the total cost since 1980 of *(a)* staff time, *(b)* legal advice and representation and *(c)* litigation to (i) the Inner London education authority, (ii) the London residuary body and (iii) the London Pension Fund Authority of responding to the complaints lodged by Miss Patricia Eaton of Kidbrooke Park road, London SE3, relating to her treatment by the ILEA when she was in its employment. [34890]

Sir Paul Beresford: This is a matter for the London Pensions Fund Authority and I suggest that the hon. Gentleman should contact the chief executive for the information that he requires.

Parliamentary Boundary Changes

Mr. Fabricant: To ask the Secretary of State for the Environment, pursuant to his answer of 25 June, *Official Report*, column 79, what factors led Ordnance Survey not to produce *(a)* county maps and *(b)* maps on a larger scale showing the new parliamentary boundaries; what assessment he has made of the legibility of the boundary lines of the maps proposed for issue in respect of the United Kingdom; and if he will make a statement. [35100]

Sir Paul Beresford: Ordnance Survey is responsible for the official, definite mapping of Great Britain; Ordnance Survey Northern Ireland is responsible for the mapping of the Province.

Ordnance Survey maintains a definitive dataset of electoral boundaries which are offered for sale as a computer-readable digital map product called boundary-line. This product has been well received by the market and reduced the potential market for the traditional paper sheets.

In reviewing its series of administrative maps, all of which needed revising to take account of parliamentary and local government boundary reviews, Ordnance Survey weighed up the diminished market against the costs of revising and reprinting some 56 map sheets and took an economic decision to discontinue printing the county maps. Parliamentary boundaries are now shown on two sheets, and local authority boundaries on a further nine sheets.

More detailed versions of the new parliamentary boundaries are in the course of being produced. When complete they will be available as large-scale data.

Local Government Finance

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what fiduciary duties are laid on local authorities in respect of decisions concerning the investment of sums paid into an authority's collection fund which are not immediately required for making payments or transfers. [35315]

Sir Paul Beresford: Local authorities are under a general fiduciary duty to their taxpayers to act prudently in investing funds. They should also have regard to the capital finance regulations and professional treasury management codes, as appropriate. In addition, the investment of collection fund money is subject to specific regulations made under section 89(5) of the Local Government Finance Act 1988. The following regulations made under the section are still in force: the Local Authorities (Funds) (England) Regulations 1992 (SI 1992/2428).

EC Directives

Mr. Steen: To ask the Secretary of State for the Environment, pursuant to his answer of 1 April, *Official Report*, column *14*, if he will undertake an immediate review of past EC directives with a view to removing all gold plating. [35046]

Sir Paul Beresford: We take every opportunity to review the implementation of existing EC directives when regulations are updated as part of the normal process of regulatory reform. In doing so, we take account of the new "Implementing EC Law Checklist", the publication of which was announced to the House by the Chancellor of the Duchy of Lancaster on 16 May. This checklist is designed to ensure that no unnecessary additional burdens are placed on business when EC directives are implemented in the UK.

Health Action Plan

Mr. Faber: To ask the Secretary of State for the Environment when he intends to publish the United Kingdom national environmental health action plan. [36107]

Mr. Gummer: Together with my right hon. and learned Friend the Secretary of State for Northern Ireland and my right hon. Friends the Secretaries of State for Health, for Scotland and for Wales, I shall publish the United Kingdom national environmental health action plan, and an overview of it, on Monday 8 July.

Copies of the documents will be placed in the Library.

SOCIAL SECURITY

Family Expenditure Survey

Mr. Martyn Jones: To ask the Secretary of State for Social Security (1) if his Department will reassess its use of the family expenditure survey in the assessment of United Kingdom poverty, so that provision is made in a new survey for the inclusion of homeless people; and if he will make a statement. [33049]

(2) if his Department will reassess its use of the family expenditure survey in the assessment of United Kingdom poverty, so that provision is made in a new survey for the inclusion of people living in institutions with special reference to hospitals, nursing homes, residential homes and prisons; and if he will make a statement. [33048]

Mr. Andrew Mitchell: I refer the hon. Member to my reply of 21 June to the hon. Member for Bristol, East (Ms Corston), *Official Report*, column *635*.

Health and Safety

Mr. Ian McCartney: To ask the Secretary of State for Social Security what was the cost in each of the past five years of (a) sick pay and *(b)* compensation paid to employees of his Department or their families, or members of the public, as a result of (i) minor, (ii) major and (iii) fatal injuries related to the work of his Department, detailing incidents involving information technology and those involving expenditure of more than £5,000. [33514]

Mr. Burt: Such information as is available is not held centrally and could be obtained only at disproportionate cost.

Mr. McCartney: To ask the Secretary of State for Social Security how many *(a)* minor, *(b)* major and *(c)* fatal injuries have been suffered by staff in his Department and its agencies in work-related incidents in each of the past five years, showing in each year how many were related to information technology and giving details of all incidents involving fatalities. [33513]

Mr. Burt: Such information as is available is not held centrally and could be obtained only at disproportionate cost.

Funeral Costs

Mr. Austin Mitchell: To ask the Secretary of State for Social Security if he will make it his policy to ensure that *(a)* a higher proportion or *(b)* all funeral expenses of those receiving social security benefit are met by the state. [34404]

Mr. Roger Evans: We have no plans to do so. However, all aspects of the benefits system are kept under review.

Mr. Mitchell: To ask the Secretary of State for Social Security what assessment he has made of the effect of the new system of social fund funeral payments on prices and costs in the funeral industry. [34421]

Mr. Evans: It is estimated that the social fund funeral payments scheme accounted for 10 per cent. of all funerals in Great Britain in 1995. The restriction in the level of payment made is presumed to have had an effect upon the market.

Benefits

Mr. Alan Howarth: To ask the Secretary of State for Social Security if he will list the number and percentage of individuals in benefit units where at least one contributory benefit is being received, by net income of the household adjusted for family size, broken down into equivalised income bands before and after housing costs. [35512]

Mr. Burt: The information is in the table.

Number and percentage of individuals in benefit units where at least one contributory benefit is being received, by decile of the whole UK income distribution, 1992–93

	Before Housing Costs		*After Housing Costs*	
Decile of the whole UK income distribution	*Number of individuals who are in benefit units where at least one contributory benefit is received (millions)*	*Percentage of individuals who are in benefit units where at least one contributory benefit is received*	*Number of individuals who are in benefit units where at least one contributory benefit is received (millions)*	*Percentage of individuals who are in benefit units where at least one contributory benefit is received*
1	1.5	26	1	18
2	2.2	38	2.1	37
3	2.4	42	2.6	46
4	2.1	37	1.9	33
5	1.6	28	1.7	29
6	1.4	24	1.3	23

Number and percentage of individuals in benefit units where at least one contributory benefit is being received, by decile of the whole UK income distribution, 1992–93

	Before Housing Costs		*After Housing Costs*	
Decile of the whole UK income distribution	*Number of individuals who are in benefit units where at least one contributory benefit is received (millions)*	*Percentage of individuals who are in benefit units where at least one contributory benefit is received*	*Number of individuals who are in benefit units where at least one contributory benefit is received (millions)*	*Percentage of individuals who are in benefit units where at least one contributory benefit is received*
7	1.1	20	1.2	21
8	0.9	16	1.0	17
9	0.8	13	0.9	16
10	0.7	11	0.8	15
Total	14.6	26	14.6	26

Notes:
1. Contributory benefits are unemployment benefit, contributory retirement pension, sickness benefit, invalidity benefit, maternity allowance and widow's benefit.
2. A benefit unit is defined as a single adult or a couple, together with any dependent children.
3. Individuals are grouped into deciles using the standard households below average income definition of income—weekly household disposable income adjusted for household size and composition (equivalised). Each decile of the income distribution consists of 5.7 million people.
4. Figures for number of individuals are shown to the nearest 100,000 people. Columns may therefore not sum due to rounding. Percentages are shown to the nearest whole per cent.
5. All estimates are subject to sampling error.

Source:
Information is derived from the 1992–93 households below average income dataset; 1992–93 is the latest period for which information is available. Figures for 1992–93 are for two calendar years' data combined.

NATIONAL HERITAGE

Foundation for Sport and the Arts

Mr. Barron: To ask the Secretary of State for National Heritage if she will list the amount of Government funding to the Foundation for Sport and the Arts in each year since its inception. [34745]

Mr. Sproat: The Foundation for Sport and the Arts is funded partly by a 2½ per cent. reduction in pool betting duty, and partly by a voluntary contribution of 5p in the pound on pools coupons, both of which are passed on by the football pools companies to the foundation. The total amounts received annually by the foundation, as recorded in its annual reports, is as follows:

1991–92: £39,568,711
1992–93: £63,541,000
1993–94: £67,922,000
1994–95: £68,245,000

Dance and Drama Scholarships

Mr. Luff: To ask the Secretary of State for National Heritage what estimate she has made of the number of students of dance and drama who will benefit from her recent announcement on the use of lottery funds for scholarship purposes. [25247]

Mr. Sproat: I regret the delay in replying.

My hon. Friend's deep interest in the issue of dance and drama training is well known and respected. He set out his views with passion and eloquence in introducing a debate on dance and drama students in the House last week. The announcement by my right hon. Friend the Secretary of State directed the Arts Council to take account of the need to develop the skills, talents and creative abilities of young people in particular. It is for the Arts Council—the independent lottery distribution body—to draw up detailed schemes to put this direction into practice. To this end, it has recently issued a consultation document, and is holding a series of consultative meetings.

The Arts Council has also asked a small group of its members, headed by the chairman of the London arts board, to analyse the current situation facing dance and drama students and to make recommendations on the administration of grants to these students for the future. As part of its work, the group will consider whether lottery money can be used to help with the problems facing dance and drama students in a way which does not substitute for existing public spending. I look forward to hearing the outcome of this work.

National Lottery

Mr. Sheerman: To ask the Secretary of State for National Heritage what has been the total amount available to local projects from national lottery funds in each year since its inception. [34947]

Mr. Sproat: The organisations responsible for distributing lottery funds do not subdivide them into amounts available for local, regional or national projects and these figures are not, therefore, available. Since its inception in November 1994, the lottery has raised more than £2 billion for projects of all sizes.

Individual Sporting Talent

Mr. Harry Greenway: To ask the Secretary of State for National Heritage what plans she has to encourage the development of individual sporting talent. [33670]

Mr. Sproat *[holding answer 1 July 1996]:* In the sports policy paper "Sport: Raising the Game", we announced our intention to establish a British academy of sport, to provide a coherent and unified programme to allow those with the greatest talent to use that talent to best effect. In addition, on 1 April, the Secretary of State issued new policy directions to allow national lottery money to provide revenue support to develop sporting talents and skills, particularly of young people.

Royal William Yard, Plymouth

Mr. Jamieson: To ask the Secretary of State for National Heritage what was the total cost to her Department of the inquiry into the type of slate to be used for re-roofing the buildings in the Royal William yard, Plymouth. [34896]

Mr. Sproat *[holding answer 1 July 1996]:* The total cost of the inquiry has yet to be finalised, but it is estimated to be approximately £16,000.

PRIME MINISTER

Hafez Dalkamoni

Mr. Dalyell: To ask the Prime Minister, pursuant to the answer of 13 May, *Official Report*, column *362*, about the release of Hafez Dalkamoni, in what circumstances the release by one country of a prisoner who is a national of another country is not solely a matter for the authority of the detaining country; and if he will make a statement. [35824]

The Prime Minister: I have nothing to add to the reply given by my hon. Friend the Minister of State, Foreign and Commonwealth Office, to the hon. Member for Eastwood (Mr. Stewart), on 17 January 1996, *Official Report*, column *590*, other than that Mr. Dalkamoni was released on 27 June and deported to Syria.

Constitution (Referendum)

Mr. Bill Walker: To ask the Prime Minister what legislative provisions are currently in force which would enable a referendum on the constitution to be held in Scotland; and if he will make a statement. [36108]

The Prime Minister: None. Powers previously taken in 1975 and in 1978 to hold referendums have been repealed.

G7 Summit, Lyons

Mr. Dafis: To ask the Prime Minister what proposals to move the world economy closer to ecological sustainability he made to the Group of Seven summit in Lyons. [34504]

The Prime Minister: The subject of ecological sustainability was not discussed at Lyon. I refer the hon. Member to my reply to the hon. Member for Hexham (Mr. Atkinson), on 2 July, *Official Report*, columns *425–27*.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 4 July. [34580]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Ministers

Mr. Allen: To ask the Prime Minister if he will list the average length of time served by *(a)* Secretaries of State, *(b)* Ministers of State and *(c)* Under-Secretaries in each Government Department since he became Prime Minister. [35908]

The Prime Minister: This is a matter of public record.

Parliamentary Pay and Allowances

Mr. Dover: To ask the Prime Minister when the Government plan to publish the report by the Senior Salaries Review Body on parliamentary pay and allowances. [36025]

The Prime Minister: The Government have now considered report No. 38 from the Senior Salaries Review Body on parliamentary pay and allowances. The Government are grateful to the review body for undertaking this complex remit so promptly. The report is being published today—as Command Paper 3330—and copies are available from the Vote Office.

Following representations made during the Government's consultations with other parties on the report, the Government will table motions to allow the House to consider whether it wishes to implement the recommendations of the report in full.

The Government themselves, however, are clear that the recommended increases for Members' and Ministers' pay are too high and that the motions to give effect to these should not be passed in current circumstances. They will therefore oppose the motions and will table motions to bring into effect an increase in the salary of a Back-Bench Member from £34,085 to £35,108, that is by 3 per cent., with effect from 1 July 1996, and for similar increases in the pay of Ministers and other office holders. The Government will also table motions to implement the report's recommendation that further increases should take effect from 1 April each year and should be linked to movements in senior civil service pay bands.

WALES

General Practitioner Lists

Mr. Hanson: To ask the Secretary of State for Wales how many patients have been removed by general practitioners from their practice lists in each of the last five years. [35093]

Mr. Gwilym Jones: The information requested is not available centrally.

Monitoring Officers

Mr. Denzil Davies: To ask the Secretary of State for Wales if he will list the names and status of the monitoring officers, and those who are designated deputies in the absence of the monitoring officers, in each unitary authority in Wales. [35520]

Mr. Gwilym Jones: The information requested is not held centrally.

Swansea Institute of Higher Education

Mr. Alan Williams: To ask the Secretary of State for Wales what representations he has recently received about the Swansea institute of higher education; what meetings relating to that college have been attended by his *(a)* Ministers and *(b)* officials; where and when; and if he will make a statement. [35670]

Mr. Jonathan Evans: My right hon. Friend and I have not received any recent representations about the Swansea institute of higher education, or attended any meetings relating to the institute.

Officials attended three meetings towards the end of last month at the Higher Education Quality Council, the Higher Education Funding Council for Wales and the Welsh Office.

Orimulsion

Mr. Ainger: To ask the Secretary of State for Wales when he last met Mr. O. J. Williams to discuss the application to build a jetty to import orimulsion into Milford Haven; and if he will make a statement. [35509]

Mr. Gwilym Jones: There is no record of a meeting between my right hon. Friend and a Mr. O. J. Williams.

Creutzfeldt-Jakob Disease

Dr. Marek: To ask the Secretary of State for Wales if he will list the number of cases by unitary authority of the various categories of Creutzfeldt-Jakob disease for each year since 1985. [35637]

Mr. Gwilym Jones: Details of suspected cases of Creutzfeldt-Jakob disease in the UK have been reported to the national CJD surveillance unit in Edinburgh since May 1990. Cases in Wales, since reporting began, are detailed in the table:

	Definite	*Probable*	*Possible*
May 1990 to April 1991	1	0	0
May 1991 to April 1992	2	1	0
May 1992 to April 1993	5	0	1
May 1993 to April 1994	3	0	1
May 1994 to April 1995	4	0	2
May 1995 to April 1996	5	0	0

For reasons of confidentiality, personal details, including authority of residence, are not published.

University Hospital of Wales (Road Construction)

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairmen of the University Hospital of Wales NHS trust and of the Bro Taf health authority concerning the delayed completion of the phase 1 on-slip road connecting the A48 and the University hospital of Wales site; what plans there are for the on-slip construction project to be carried out by the private finance initiative; what plans there are to re-advertise the scheme via the contracts supplement of the *Official Journal of the European Communities;* and if he will make a statement. [35677]

Mr. Hague: None. The University Hospital of Wales Healthcare NHS trust is currently negotiating contracts with a consortium of private sector companies. There is no reason to re-advertise the scheme.

Robert Powell (Medical Treatment)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 17 June, *Official Report,* column *371,* on what date it was determined that the previous Under-Secretary of State, the hon. Member for Clwyd, North-West (Mr. Richards), would play no part in consideration of the NHS complaint by the family of the late Robert Powell. [35624]

Mr. Hague: At no stage was my hon. Friend the Member for Clwyd, North-West involved in this appeal.

Children's Services

Sir Wyn Roberts: To ask the Secretary of State for Wales, pursuant to his oral statement of 17 June, *Official Report,* columns 521–35, if he will make a statement on his plans for children's services in Wales. [36129]

Mr. Hague: My Department has written today to all the local authorities in Wales enclosing an action plan setting out the timetable for the implementation of those recommendations contained in the Adrianne Jones report addressed to them. I have placed a copy of this letter and the associated action plan in the Library of the House. I have asked the local authorities to advise my Department by 14 October this year of the steps taken to implement the 17 recommendations that I expect to be implemented by 1 October 1996.

To assist local authorities in their task, and to implement those recommendations addressed to my Department, I have asked the chief inspector of the social services inspectorate for Wales to take immediate steps to recruit three additional inspectors. This will also enable the inspectorate to check that the implementation has been effective and that practice in local authorities continues to conform to the best practice recommended in Miss Jones's report. I have also decided to establish a development fund of £500,000 which will be used to help bring about the required improvements in practice and procedures. The fund will be available for use in this financial year and in 1997–98.

EDUCATION AND EMPLOYMENT

Socrates-Erasmus Programme

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many United Kingdom students benefit from the Socrates-Erasmus programme; and what steps she is taking to increase their number. [35478]

Mr. Forth: In the academic year 1994–95, 11,946 UK students studied abroad as part of the Socrates-Erasmus programme. This number is expected to rise for the academic year 1995–96 to nearly 13,000 students. For the past four years, the Department for Education and Employment has published a booklet entitled "The European Choice" which gives information about opportunities to study in higher education in another European country. Flyers advertising the booklet are sent out with the Universities and Colleges Admissions Service information pack to students to help inform their choice of higher education courses.

Statutory Instruments

Mr. Steen: To ask the Secretary of State for Education and Employment how many statutory instruments his Department introduced in *(a)* 1994, *(b)* 1995, and *(c)* between 1 January 1996 and 1 May 1996 which had the effect of repealing one or more previous statutory instruments without replacing them with a new regulation. [35044]

Mr. Robin Squire: The number of statutory instruments referred to by the Department or former Departments in the periods in question was as follows:

1994: 0

1995: 1

1996 to 1 May: 0

School Places

Mr. Blunket: To ask the Secretary of State for Education and Employment, pursuant to her Department's circular 6/96, annex A, paragraphs 22 to 24, if an oversubscribed school may withhold the offer of a place on the ground that the applicant's parents are unwilling to sign a home-school contract. [35454]

Mrs. Gillan: The circular emphasises that school admission authorities should have the maximum flexibility to decide how places will be allocated in the event of oversubscription. Annex A gives advice on the law as it relates to admissions procedures. It does not say that places can be withheld where parents are unwilling to sign a home-school contract, rather that admission authorities may decide that parents willing to sign should be afforded higher priority when there are more applicants than places.

Training Providers

Mr. Byers: To ask the Secretary of State for Education and Employment what amount due to be paid to training providers in respect of training provided in 1994 and financed by the European social fund will not be paid as a result of exchange rate fluctuations; and if she will list the 50 organisations which have had the largest reductions and the amounts in each case. [35455]

Mr. Forth: It is not yet known whether any money due to be paid to training providers in respect of 1994 projects financed by the European social fund will not be paid as a result of exchange rate fluctuations. Training providers have been paid 95 per cent. of the total European social fund money to which they were entitled in their agreed final claim. Revised final claims have been submitted to the Commission for each European social fund programme. It is hoped to pay the remaining 5 per cent. to all applicants, but the precise amount will depend on the exchange rate on the day the money is received from the European Commission. The 50 organisations for whom the largest reductions were made and the amounts concerned are as follows:

Organisation name	*Amount reduced (£)*
Department for Education and Employment	8,952,962
Scottish Enterprise	1,274,315
Welsh Office	707,933
Employment Service	566,933
Government office for Merseyside	560,157
Government office for the west midlands	422,454
Strathclyde regional council	416,682
Government office for Yorkshire and Humberside	265,955
City of Liverpool community college	164,780
Government office for the north-east	159,330
British Coal Enterprise Ltd.	129,490
Wirral metropolitan college	122,483
Gwent tertiary college	106,463
Highlands and Islands Enterprise	103,140
Government office for the east midlands	98,954
Cardiff institute of higher education	92,065
Scottish office for mental health	90,161
University college Salford	85,543
The Sheffield college	80,699
Knowsley community college	74,723
Newcastle college	69,331
NRITEA	64,125
Government office for the south-west	64,118
The Wise Group	63,594
The British Refugee Council	62,282
University of Aberdeen	59,958
Bilston community college	57,663
City college Manchester	54,382
Pontypridd college	53,920
Government office for London	53,783
The college of north-west London	51,295
University of Leicester	50,849
Leeds city council	50,366
Cleveland county council	49,737
Sutton Coldfield college	48,731
Hugh Baird college	47,940
Southport college	46,188
Fife college	44,835
Birmingham college of FT and creative studies	42,725
Wakefield college	39,625
Manchester college of arts and technology	38,486
Community Service Volunteers	38,207
Blackburn college	37,776
ATB-Landbase	36,765
Wearside college	36,628
University of Dundee	35,890
Tameside college technology	35,840
University of Wales, Bangor	35,773
South Birmingham college	35,729
Swansea institute of higher education	35,598

SCOTLAND

Cairn Gorm Funicular Railway

Mr. Graham: To ask the Secretary of State for Scotland, pursuant to his answer of 14 March, *Official Report*, column *730*, if he will publish the financial and economic assessment of the proposed Cairn Gorm funicular railway provided by Highlands and Islands Enterprise; and if he will make a statement. [35216]

Mr. Kynoch: The financial and economic assessment undertaken by Highlands and Islands Enterprise of the proposed funicular railway is subject to commercial confidentiality.

Mr. Graham: To ask the Secretary of State for Scotland what level of grant aid has been offered, by his Department or its agencies, to the Cairn Gorm Railway Co. to support the construction of a funicular railway on Cairn Gorm. [35217]

Mr. Kynoch: None. My right hon. Friend is considering a request from Highlands and Islands Enterprise for his approval to the proposed of financial assistance to the Cairngorm Chairlift Co. for the construction of a funicular railway on Cairn Gorm. No decision on the request has yet been taken.

Mr. Graham: To ask the Secretary of State for Scotland, pursuant to his answer of 29 April, *Official Report*, column *375*, if he will list the criteria he will use to judge the application for approval to incur expenditure by Highlands and Islands Enterprise on the proposed Cairn Gorm funicular railway. [35215]

Mr. Kynoch: In considering the request from Highlands and Islands Enterprise for approval of the proposed financial contribution to the Cairn Gorm

funicular railway, my right hon. Friend will take into account a range of criteria, including the need to ensure that the proposed contribution represents value for money.

Mr. Graham: To ask the Secretary of State for Scotland what research has been commissioned by *(a)* his office and *(b)* the Highlands and Islands Enterprise to estimate the socio-economic benefits of the proposed Cairn gorm funicular railway; what was the cost of this research; and if he will make the results available to the public. [35213]

Mr. Kynoch: No research into such matters has been commissioned by the Scottish Office. The research commissioned by Highlands and Islands Enterprise is an operational matter for the organisation and I have asked the chairman to write to the hon. Member.

Grampian Structure Plan

Mr. Salmond: To ask the Secretary of State for Scotland when he received the Grampian structure plan for consideration; and if he will make a statement. [35690]

Mr. Kynoch: The Grampian structure plan was formally submitted to my right hon. Friend on 13 February 1995.

Mr. Salmond: To ask the Secretary of State for Scotland when he will reach a final decision on the Grampian structure plan. [35678]

Mr. Kynoch: My right hon. Friend will make a final decision on the Grampian structure plan as soon as possible.

Nurses' Pay

Mrs. Fyfe: To ask the Secretary of State for Scotland how many trusts to date have made pay offers to nurses; and what steps he is taking to ensure that the review body recommendations are acted upon. [35111]

Lord James Douglas-Hamilton: To date, 17 NHS trusts in Scotland have made formal pay offers to nurses. Trusts have been advised of agreements reached within the nurses national Whitley negotiating council and should be engaged in local negotiations to seek resolution of this year's pay round.

The timing structure of pay offers is a matter for local management. It is for each trust to decide whether to make public the position it has reached.

Private Estates (Public Funding)

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) what guidelines he has issued to ensure that grants and loans received by private estates from public funds are adequately monitored; and if he will make a statement; [35675]

(2) what responsibilities he has for monitoring payments made from public funds to private landed estates; and if he will make a statement. [35693]

Mr. Raymond S. Robertson: Guidelines on each scheme operated by the Scottish Office Agriculture, Environment and Fisheries Department are issued to all involved in considering applications or authorising payments. They are designed to ensure achievement of the scheme objectives and fulfilment of scheme conditions. There are no special procedures for monitoring payments from public funds to particular classes of applicant: standard procedures are applied to all recipients of assistance irrespective of their land tenure status.

Ms Cunningham: To ask the Secretary of State for Scotland (1) if he will introduce mechanisms to ensure that details of public funds given to landed private estates are readily available to members of the public; [35694]

(2) if he will list the publicly funded *(a)* grants and *(b)* loans received by the Atholl estate in the financial year 1993–94; what mechanisms were adopted to monitor the use of each payment made in this period; and if he will make a statement. [35696]

Mr. Robertson: Details of public funds paid are subject to the provisions of the Data Protection Act 1974 and cannot therefore be made available without the express permission of the recipient. I have no plans to introduce mechanisms to ensure that details of public funds given to private estates are available to members of the public. Private estates are subject to the same monitoring conditions as all other applicants for financial assistance.

Ms Cunningham: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Banff and Buchan (Mr. Salmond) of 16 April, *Official Report*, column *450*, if he will list the locations of the information relating to financial assistance given to the Atholl Estate since 1979; and if he will make a statement. [35695]

Mr. Raymond S. Robertson: Details of any financial assistance given to Atholl estate would be held in several locations. Some scheme details are held in the Scottish Office Agriculture, Environment and Fisheries Department's local area office and some in the sub-office covering the area where the estate lands lie. The remainder are held in Edinburgh on the computer records appropriate to each scheme. For closed schemes, where all conditions would have been met, information will no longer be available.

Wheelhouses (Alterations)

Mr. Salmond: To ask the Secretary of State for Scotland how many representations he has received in the last year from the fishing industry in Scotland in connection with the subject of safety improvement grants for wheelhouse alteration; and if he will make a statement on his response to these representations. [35619]

Mr. Raymond S. Robertson: I have received no representations on this subject.

Mr. Salmond: To ask the Secretary of State for Scotland what alternative eligibility criteria he has evaluated for safety improvement grants for the alteration of wheelhouses on fishing vessels. [34620]

Mr. Robertson: The Fishing Vessels (Safety Improvements) (Grants) Scheme 1995 does not provide grants for structural alterations to wheelhouses. However, equipment to enhance wheelhouse visibility is eligible for assistance—for example, the installation of wandering steering leads or the building of a dome—glass bubble—

on top of the wheelhouse with a raised platform underneath upon which the watchkeeper could safely stand, raising his sight level and increasing visibility.

Fishing Grants

Mr. Salmond: To ask the Secretary of State for Scotland what steps he has taken to monitor the setting up by local authorities of recognised grant assistance schemes in respect of applications for Pesca and Financial Instrument for Fisheries Guidance funds; and if he will make a statement on the results of that monitoring. [35623]

Mr. Kynoch: My right hon. Friend does not monitor the details of local authority involvement in Community Initiatives. It is the responsibility of the local authorities concerned to ensure that scheme details comply with the relevant regulations. However, Scottish Office officials have held a number of meetings with officials of local authorities and other bodies to offer advice on proposals for schemes, to help ensure that they are consistent with European Community rules and the Pesca programme.

HOME DEPARTMENT

Police Numbers

16. **Mr. Purchase:** To ask the Secretary of State for the Home Department what is the ratio of police officers per head of population *(a)* in Britain and *(b)* on average in the EU. [34532]

Mr. Hain: To ask the Secretary of State for the Home Department what is the ratio of police officers per head of population in Britain; and what is the current EU average. [34538]

Mr. Kirkhope: In England and Wales, the ratio of police officers to population was one to 407 at March 1996. No comprehensive data are available from which an average for European Union countries could be calculated.

24. **Mr. Mark Robinson:** To ask the Secretary of State for the Home Department what steps he has taken to increase the number of police officers on the beat. [34541]

Mr. Kirkhope: My right hon. Friend the Prime Minister has promised sufficient resources for 5,000 more officers over the three years to 1998–99, specifically to enhance visible presence on the streets. We have started to give out funding for this. Also, providing high visibility policing so as to reassure the public is one of our key objectives for the police service.

27. **Mr. David Martin:** To ask the Secretary of State for the Home Department what steps his Deaprtment is taking to increase the number of police constables over the next three years. [34544]

Mr. Kirkhope: The Government are providing an additional £180 million in funding to enable chief constables in England and Wales to recruit 5,000 more constables over the three-year period from April 1996.

Border Controls

17. **Sir Teddy Taylor:** To ask the Secretary of State for the Home Department if he will raise at the next meeting of the European Council of Ministers the legal status of the declaration attached to the Single European Act which preserves British border controls. [34533]

Miss Widdecombe: We have no plans to raise the issue of border controls at the next meeting of the Justice and Home Affairs Council.

Public Houses (Children)

18. **Mr. Steen:** To ask the Secretary of State for the Home Department what new obligations have been placed on publicans as a result of the initiating of children's certificates in public houses. [34534]

Mr. Kirkhope: Licensing justices are required to consider whether premises for which a children's certificate is sought represent a suitable environment for children. Some have exercised their discretion to impose conditions on applicants ranging from no smoking rules to restrictions to one bar per pub.

Crime Clear-up Rates

20. **Mr. Flynn:** To ask the Secretary of State for the Home Department if he will make a statement on the trend in crime clear-up rates since 1987. [34537]

Mr. Kirkhope: Although the overall clear-up rate for recorded crime in England and Wales has fluctuated between 33 per cent. in 1987 and 26 per cent. in 1995, the number of offences cleared up has increased during that period from 1,229,000 to 1,270,000 last year. For violence against the person and sexual offences, the clear-up rates has remained fairly consistent at around three quarters of all such recorded crimes.

Police Advisory Committee for London

22. **Mr. Spearing:** To ask the Secretary of State for the Home Department what plans he has for widening the representation on the Policy Advisory Committee for London. [34539]

Mr. Kirkhope: Members of the Metropolitan Police Committee are chosen on individual merit, not as representatives of particular groups or organisations.

Asylum Seekers

23. **Mr. Corbyn:** To ask the Secretary of State for the Home Department what are the total number of asylum seekers in custody at the latest available date. [34540]

Mr. Kirkhope: At the beginning of June, a total of 751 people who had sought asylum at some stage were detained.

Prisoners (Education)

25. **Mr. Rendel:** To ask the Secretary of State for the Home Department how many prisoners are currently undertaking educational courses. [34542]

Miss Widdecombe: This information is not available in the form requested. Prisoners' education is recorded in hours. The total number of prisoner hours spent in education in 1995 was 9.4 million.

Firearms Certificates

26. **Mr. Miller:** To ask the Secretary of State for the Home Department how many people under the age of 18 years have been issued with firearms certificates in the last five years. [34543]

Mr. Kirkhope: This information is not available centrally and could be obtained only at disproportionate cost. The grant of a firearm certificate in each case is a matter for the chief officer of police, who must be satisfied that the applicant can be trusted to keep and use firearms safely.

Young Offenders Institution (Colchester)

28. **Mr. Whittingdale:** To ask the Secretary of State for the Home Department what progress has been made in the establishment of a young offenders institution at Colchester. [34545]

Miss Widdecombe: On 17 April, I announced our intention to establish a young offender institution at the military corrective training centre at Colchester.

Preparations are going well and I look forward to announcing the opening of this new institution in the autumn.

Prisons (Ministerial Visits)

Mr. Matthew Banks: To ask the Secretary of State for the Home Department how many visits to prisons the Minister of State with responsibility for prisons plans in the next three months. [34530]

Miss Widdecombe: My plans to date include tours of the north-east and Bristol areas in September. I expect to visit at least a dozen prisons in the two areas. Other visits have yet to be arranged but I will make as many as possible, allowing for my other commitments.

Security Industry

Mr. Barnes: To ask the Secretary of State for the Home Department what plans he has to regulate the private security industry; and if he will make a statement. [34524]

Mr. Sackville: Our proposals for access to criminal records by employers will go a long way to meeting the need for adequate checks on those who want to work in the security industry. We have to be sure that any further measures—such as those recommended by the Home Affairs Select Committee—are justified and would not place an excessive burden on businesses.

Overseas Domestic Workers

Ms Gordon: To ask the Secretary of State for the Home Department if he will make a statement on the immigration status of domestic workers from overseas. [34536]

Mr. Kirkhope: Private servants in diplomatic households, and other domestic servants who are allowed to accompany their employers to the United Kingdom, may remain here subject to a condition restricting them to employment with that employer.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department how many people were detained in Doncaster prison, under Immigration Acts powers in each month since January 1996; what were their nationalities; how many were deported in each month; and to what countries. [34982]

Miss Widdecombe: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 4 July 1996:

The Home Secretary has asked me to reply to your recent Question asking how many people were detained in Doncaster prison, under Immigration Acts powers in each month since January 1996; what were their nationalities; how many people were deported in each month; and to what countries.

Information on the number of persons detained in HMP Doncaster under Immigration Act powers is shown in the attached table for the last day of each month for the period January to May 1996. Two people were deported after discharge from HMP Doncaster between January and May; one in January and the other in May. Information is not available on the countries to which these persons were deported. Nationality information cannot be given as it would identify individuals.

Population of Immigration Act detainees in HMP Doncaster since January 1996, by nationality

Date	*Number*
31 January 1996	3
28 February 1996	2
31 March 1996	3
30 April 1996	4
31 May 1996	5

Applications for Settlement

Mr. Fraser: To ask the Secretary of State for the Home Department what has been the average length of time since 1 January for determining an application for settlement based on marriage to a person already settled in the United Kingdom after the 12 months leave to enter as a spouse has passed. [35124]

Mr. Kirkhope: The average time to decide all marriage settlement applications during the period 1 January to 14 June was 66 days.

Ku Klux Klan

Mr. Snape: To ask the Secretary of State for the Home Department if he will initiate inquiries into the *(a)* recruitment and *(b)* other activities of the Ku Klux Klan in Great Britain with special reference to the west midlands; if he will call for a report on its activities from the chief constable of the west midlands; and if he will make a statement. [35621]

Mr. Kirkhope: The Government totally condemn any organisation which is intent on jeopardising the good race relations which we enjoy in this country. I understand that the West Midlands police are fully aware of the activities of a small group of people associated with the Ku Klux

Klan. Any evidence that these individuals are engaging in criminal activities will be thoroughly investigated.

Prison Service

Mr. George Howarth: To ask the Secretary of State for the Home Department if he will make a statement on the progress of the study of the relationship between Ministers and the Prison Service. [35863]

Miss Widdecombe: I refer the hon. Member to the reply given to a question from the hon. member for Rossendale and Darwen (Ms Anderson) on 14 March, columns *708–9.*

Immigration

Mr. Madden: To ask the Secretary of State for the Home Department on what date he was asked by the British post in Islamabad to obtain information in the United Kingdom following applications for British passports by Tahihra Jabeen, Fazal ur Rahman Hussain, and Noor ur Rahman Hussain, Ref: Con/5267; on what date information was sent to the post; what recommendations he made on these applications; and if he will make a statement. [35233]

Mr. Kirkhope *[holding answer 2 July 1996]:* A request for information was received on 11 October 1995 and a reply sent on 9 November. No recommendation was made since the consideration of an application for a British passport made abroad is a matter for the British post concerned.

Mr. Khabra: To ask the Secretary of State for Home Affairs what assessment his Department has made of the availability of advice to people applying for immigration to the United Kingdom. [34535]

Mr. Hanley: I have been asked to reply.

We publish a comprehensive and instructive series of leaflets for different categories of visa applicant. They are readily available, along with other general advice on request, at all our entry clearance issuing posts in English and foreign language versions.

Bosnian Elections

Mr. Macdonald: To ask the Secretary of State for Home Affairs what arrangements are being made by Her Majesty's Government to enable Bosnians living in Britain to vote in the forthcoming Bosnian elections. [35081]

Sir Nicholas Bonsor: I have been asked to reply.

We have made available office facilities for a registration and absentee voting centre in the UK to be run under International Organisation for Migration and the Organisation for Security and Co-operation in Europe supervision. The centre opened on 24 June. The Government have also assisted with the distribution of information about the registration and voting procedures in Bosnian, Serbian and Croatian to refugee organisations.

NORTHERN IRELAND

Road Schemes (Newtownbreda)

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what representations he has received suggesting roadworks schemes, in addition to those already planned, for easing the traffic congestion at the Forster Green junction, Newtownbreda; and if he will make a statement. [34583]

Mr. Moss: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from V. Crawford to Mr. Peter Robinson, dated 1 July 1996:

The Secretary of State for Northern Ireland has asked the Chief Executive to reply to your question about suggestions for easing traffic congestion at the Forster Green junction, Newtownbreda. In his absence I am replying on behalf of the Chief Executive.

As part of the public consultation process in relation to the Southern Approaches Transportation Strategy Review launched in January 1993, a number of representations were received suggesting the construction of a grade separated junction, ie flyover, at this location. Having considered these representations the Department subsequently concluded that, for the moment, only planned "at grade" improvements should be carried out pending the development of a new transportation strategy for the urban area as a whole.

I hope this information is helpful.

Medical Cards

Dr. Hendron: To ask the Secretary of State for Northern Ireland (1) how many new medical cards were issued by the Central Services Agency in each parliamentary constituency in each of the 12 months to June 1996; [35154]

(2) how many new medical cards were issued by the Central Services Agency in each parliamentary constituency in each of the 12 months to June 1995. [35155]

Mr. Moss: Statistics on the number of medical cards issued cannot be broken down by parliamentary constituency and are collected only on a quarterly basis. The table shows the number issued in each quarter between 1 July 1994 and 31 May 1996.

Medical cards issued by the Central Services Agency

Quarter ending	*Number issued*
1994–95	
30 September 1994	67,465
31 December 1994	68,866
31 March 1995	79,097
30 June 1995	74,756
1995–96	
30 September 1995	94,016
31 December 1995	73,213
31 March 1996	70,026
30 June 1996[1]	[1]44,848

[1] June 1996 statistics are not yet available.

Dr. Hendron: To ask the Secretary of State for Northern Ireland how many medical cards are in existence in West Belfast. [35156]

Mr. Moss: The information requested is not available.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what procedure is followed by the Central Services Agency when a person reports his medical card as lost or stolen. [35160]

Mr. Moss: Where a medical card is reported as lost or stolen, the Central Services Agency requests details of the person's surname, birth surname (where different), forenames, current address, previous address if recently changed, date of birth and the name of the patient's GP. The patient's record is traced on the central health index and at least three of the data items given by the patient must match to confirm that the correct patient record has been traced. If the details match, the central health index is updated, and a new medical card is issued to the patient, normally within five working days.

Dr. Hendron: To ask the Secretary of State for Northern Ireland what changes are proposed for the amount of information required to be on a medical card. [35242]

Mr. Moss: Certain changes are being considered to the medical card:

(a) to enable patients to register under the national organ donor registration scheme;

(b) to enable a GP, on accepting a child under five as a new patient, to indicate if child health surveillance services are to be provided; and

(c) to remove details about dispensing by doctors in the light of a review of dispensing arrangements.

No other changes are proposed.

Disability Discrimination Act 1995

Dr. Spink: To ask the Secretary of State for Northern Ireland what are his plans for funding the administration costs arising from the implementation of the Disability Discrimination Act in Northern Ireland. [36126]

Mr. Moss: All costs associated with the implementation of the Disability Discrimination Act in Northern Ireland including the administration costs of the Northern Ireland Disability Council, the costs of providing an advice and support service and publicity costs will be borne on the Department of Health and Social Services administration and miscellaneous services vote, DHSS vote 4. Parliamentary approval of this new expenditure will be sought in a supplementary estimate for this vote. Pending that approval, urgent expenditure estimated at £230,000 will be met by repayable advances from the contingencies fund.

Compensation Agency

Dr. Spink: To ask the Secretary of State for Northern Ireland when the Compensation Agency's corporate plan for 1996–97 to 1998–99 and the business plan for 1996–97 will be published. [36127]

Sir John Wheelar: The Compensation Agency's corporate and business plans will be published today. The plans explain the agency's business and organisation and set out assumptions about work-loads and resources which underpin the plans and targets.

Animal Welfare

Mr. Morley: To ask the Secretary of State for Northern Ireland if he will list *(a)* UK legislation, *(b)* EU legislation and *(c)* international treaties, conventions or other obligations concerning animal welfare for which his Department has responsibility. [34288]

Mr. Ancram *[holding answer 25 June 1996]:* The information requested is as follows:

DOMESTIC LEGISLATION

Welfare General

Spring Traps Approval Order (Northern Ireland) 1961 (S.R. and O. (NI) 1961 No. 234)

Spring Traps Approval (No. 2) Order (Northern Ireland) 1961 (S.R. and O. (NI) No. 235)

Small Ground Vermin Traps Order (Northern Ireland) 1961 (S.R. and O. (NI) 1961 No. 236)

Veterinary Surgery (Exemptions) Order 1962 (SI 1962 No. 2557)

Veterinary Surgeons Act 1966 (1966 Ch. 36)

Welfare of Animals Act (Northern Ireland) 1972 (1972 Ch. 7) (ISBN 337 47207 6)

Veterinary Surgery (Exemptions) Order 1973 (SI 1973 No. 308)

Animal Boarding Establishments Regulations (Northern Ireland) 1974 (S.R 1974 No. 303) (ISBN 0 337 84303 1)

Welfare of Animals (Fees) Order (Northern Ireland) 1979 (S.R. 1979 No. 289 (ISBN 0 337 89789 1)

Riding Establishments Regulations (Northern Ireland) 1980 (S.R. 1980 No. 121) (ISBN 0 337 80621 7)

Veterinary Surgery (Exemptions) (Amendment) Order 1982 (SI 1982 No. 1627)

Welfare of Livestock (Deer) Order (Northern Ireland) 1983 (S.R. 1983 No. 307) (ISBN 0 337 83807 0)

Welfare of Animals (Scheduled Operations) (Amendment) Order (Northern Ireland) 1983 (S.R. 1983 No. 309) (ISBN 0 337 83809 7)

Welfare of Livestock (Prohibited Operations) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 415) (ISBN 0 337 87915 X)

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1988 (SI 1988 No. 526)

Veterinary Surgeons Act 1966 (Schedule 3 Amendment) Order 1991 (SI 1991 No. 1412)

Welfare of Livestock Regulations (Northern Ireland) 1995 (S.R. 1995 No. 172) (ISBN 0 337 91672 1)

Welfare of Animals (Scheduled Operations) (Amendment) Order (Northern Ireland) 1995 (S.R. 1995 No. 173) (ISBN 0 337 91673 X)

Welfare of Animals in Transit

Animals (Transit and General) Order (Ireland) 1913 (S.R. and O. 1913 No. 604)

Conveyance of Live Poultry (Ireland) Order 1919 (As Amended) (S.R. and O. No. 1066)

Transit of Animals (Northern Ireland) Order 1927 (S.R. and O. (NI) 1927 No. 38)

Conveyance of Live Poultry (Ireland) Order of 1919 (Amendment) (Northern Ireland) Order 1927 (S.R. and O. (NI) 1927 No. 97)

Transit of Animals (Northern Ireland) (Amendment No. 2) Order 1932 (S.R. and O. 1932 No. 115)

Horses (Sea Transport) Order (Northern Ireland) 1953 (S.R. and O. (NI) 1953 No. 87)

Transport by Air Order (Northern Ireland) 1955 (S.R. and O. (NI) 1955 No. 127)

Animals Sea Transport Order (Northern Ireland) 1958 (S.R. and O. (NI) 1958 No. 5)

Transit of Animals (General) Order (Northern Ireland) 1973 (S.R. and O. (NI) 1973 No. 300) (ISBN 0 337 83300 1)

Transit of Animals (General) (Amendment) Order (Northern Ireland) 1989 (S. R. 1989 No. 165) (ISBN 0 337 89165 6)

Transit of Animals (Road and Rail) Order (Northern Ireland) 1989 (S. R. 1989 No. 166) (ISBN 0 337 89166 4)

Welfare of Poultry (Transport) Order (Northern Ireland) 1989 (S. R. 1989 No. 167) (ISBN 0 337 89167 2)

Welfare of Animals during Transport Order (Northern Ireland) 1994 (S. R. 1994 No. 244) (ISBN 0 337 91244 0)

Welfare of Animals at Market

Sales, Markets and Lairs Order (Northern Ireland) 1975 (S.R. 1975 No. 294) (ISBN 0 337 85294 4)

Sales, Markets and Lairs (Amendment) Order Northern Ireland) 1993 (S. R. 1993 No. 371) (ISBN 0 337 90871 0)

Other Legislation which have Welfare Implications

Diseases of Animals (Northern Ireland) Order 1981 (N. I. 22) (ISBN 0 11 017115 2)

Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984 (S. R. 1984 No. 702 (N. I. 2)) (ISBN 0 11 046702 7)

Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1994 (S. R. 1994 No. 1891 (N. I. 6) (ISBN 0 11 044891 X)

EC Legislation

Council Directive 88/166 Laying Down Minimum Standards for the Protection of Laying Hens kept in Battery Cages (OJ No. L74,19.3.88,p83)

Council Directive 91/628 on the Protection of Animals During Transport (OJ No. L340,11.12.91, p17)

Council Directive 91/629 Laying Down Minimum Standards for the Protection of Calves (OJ No. L340,11.12.91, p28)

Council Directive 91/630 Laying Down Minimum Standards for the Protection of Pigs (OJ No. L340, 11.12.91,p33)

Council Directive 93/119 on the Protection of Animals at the Time of Slaughter or Killing (OJ No. L340,31.12.93, p21)

Council Directive 95/29 amending Council Directive 91/628 concerning the Protection of Animals during Transport (OJ No. L148,30.6.95, p52)

European Conventions

European Convention for the Protection of Animals kept for Farming Purposes

European Convention for the Protection of Animals during International Transport

European Convention for the Protection of Animals for Slaughter

Mr. Morley: To ask the Secretary of State for Northern Ireland if he will list the animal welfare issues for which his Department has responsibility. [34287]

Mr. Ancram *[holding answer 25 June 1996]:* The Department of Agriculture for Northern Ireland is responsible for the welfare of livestock on farm, at market and at slaughter, the welfare of all animals during transport, the welfare of animals kept in pet shops, animal riding, boarding and zoological establishments and the general protection of all animals from acts of cruelty.

Mr. Morley: To ask the Secretary of State for Northern Ireland if he will list by group, division or other work unit the number of grades of staff working within his Department on animal welfare issues. [34289]

Mr. Ancram *[holding answer 25 June 1996]:* The information is not available in the form requested. Welfare policy is directed by headquarters administrative and veterinary staff and implemented through veterinary and support staff engaged in field and slaughterhouse duties who have a welfare role as part of their remit.

AGRICULTURE, FISHERIES AND FOOD

Cattle Records

Sir Geoffrey Johnson Smith: To ask the Minister of Agriculture, Fisheries and Food if he will establish a national cattle database as a means to identify, trace and age every bovine animal in the United Kingdom. [30830]

Mrs. Browning: We are urgently working on new measures to improve animal identification and traceability. A mandatory cattle passport for animals born after 1 July 1996 is being introduced. We shall also be introducing a system of double ear tagging. Currently, only one official tag is required.

Cattle Slaughter Scheme

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what was the estimated cost per head of *(a)* beef and *(b)* dairy cattle sent for slaughter in the Untied Kingdom on 1 March. [24493]

Mr. Baldry: The average live weight market price in the week ending 3 March was:

Cull cows: 79.06 per kg

Clean cows: 119.81 per kg

Figures on the cost per head are not collected on a weekly basis.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many cattle were slaughtered in the United Kingdom under the 30-month scheme in the weeks beginning 20 May and 27 May. [35659]

Mr. Baldry: A total of 26,129 cattle were slaughtered in the week beginning 20 May and 25,170 were slaughtered in the week beginning 27 May.

Mr. Jon Owen Jones: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 5 June, *Official Report*, columns *478–79*, if he will list the options currently under review by his Department for the eventual disposal of meat and bonemeal. [32807]

Mr. Boswell *[holding answer 13 June 1996]:* The options of incineration, use as fuel in power stations and eventual landfill, are currently under review.

Cattle

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many cattle *(a)* dairy and *(b)* non-dairy there are in the United Kingdom; and what is their estimated market value. [23213]

Mr. Baldry *[holding answer 1 April 1996]:* According to the census carried out in June 1995, there were 4.7 million cattle in the dairy herd and nearly 7 million cattle in the beef herd. The farm gate value of total UK beef production for 1995 was £2.8 billion. It is difficult to estimate the market value of a cow in milk production, but based on an average figure of £1,200 per head, the UK dairy herd is worth around £6 billion.

Beef Imports

Sir Cranley Onslow: To ask the Minister of Agriculture, Fisheries and Food how much beef for

human consumption has been imported into the United Kingdom from other EC countries in each month since 1 January 1995. [31009]

Mrs. Browning: The table shows UK imports of beef from other member states since January 1995. Information concerning trade since the BSE scare will not be available for a few weeks.

UK imports of beef for human consumption

	UK reported-imports statistics (C and F) tonnes	*UK reported-imports statistics (C and F) £000s*
1995		
January	7,837	17,406
February	7,721	19,357
March	10,407	19,854
April	6,563	17,326
May	8,303	18,860
June	10,942	29,730
July	8,011	23,079
August	8,484	26,108
September	9,691	31,660
October	9,971	29,562
November	7,009	17,956
December	6,036	16,374
1996		
January	4,879	13,612
February	4,988	12,848

Source: MAFF, statistics (commodity and food).
Unit: as indicated.

Milk Testing

Mr. Callaghan: To ask the Minister of Agriculture, Fisheries and Food if he will list the contaminants for which milk is tested before sale; and if he will make a statement. [35057]

Mrs. Browning: Under the Dairy Products (Hygiene) Regulations 1995, it is the responsibility of industry to ensure that appropriate tests are carried out on milk to detect any residues of substances having pharmacological or hormonal action or of other substances which are harmful to human health, or which might be harmful to human health if those residues exceeded permitted tolerance limits. The regulations also include microbiological standards for milk. Local authorities are responsible for ensuring that the requirements are complied with and that dairy products are safe for human consumption. In addition, as part of its surveillance plan, MAFF carries out surveillance for a range of contaminants in milk. Results of the surveillance are published in annual reports or through the food safety information bulletin. Milk supplies are routinely tested for bacteriological quality and antibiotics, but not for other contaminants.

Access Agreements

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many access agreements have been concluded with farmers in each of the environmentally sensitive areas in the United Kingdom. [35312]

Mr. Boswell: The following number of management agreements in environmentally sensitive areas include land entered into the access tier:

	Number
Pennine Dales	2
South Downs	2
Broads	4
West Penwith	1
Suffolk River Valleys	6
South West Peak	1
Lake District	13
Cotswold Hills	1
Dartmoor	3
Essex Coast	1
Upper Thames Tributaries	2
Argyll Islands	1

ESAs in Northern Ireland do not provide for public access.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will review his policy on concluding access agreements in environmentally sensitive areas where access routes traverse permanent grassland only. [35313]

Mr. Boswell: The Ministry will review the access provisions of the agri-environment schemes in the next financial year.

Whaling

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the International Whaling Commission held in Aberdeen on 24 to 28 June. [36109]

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what is Her Majesty's Government's policy on the use of the electric lance; and will he make a statement. [35469]

Mr. Baldry: The International Whaling Commission's 48th annual meeting was held in Aberdeen from 24 to 28 June. The UK delegation was composed of officials from the Ministry of Agriculture, Fisheries and Food, assisted by officials from the Foreign and Commonwealth Office, and the Department of the Environment, and representatives of environmental organisations.

The United Kingdom's principal objective at this meeting was to ensure that the moratorium on commercial whaling, which has been in force since 1986, was not weakened in any way. I am pleased to report that this was achieved. A request by Japan for a quota of 50 minke whales for its coastal communities, which we and many others considered would have breached the moratorium, was once again rejected. The UK's opening statement made it clear that we would continue to oppose all efforts to end the moratorium, for the reasons set out in my reply to my hon. Friend the Member for Blaby (Mr. Robathan) on 8 May.

The UK and New Zealand put forward a proposal for a ban on the use of the electric lance, which is used to kill whales that are wounded, but not killed, by an explosive harpoon. Although this received a wide measure of support, it did not secure the majority of three quarters of those voting needed for adoption under IWC rules. However, it was clear that our argument that the electric lance is inhumane was widely accepted; even many of

those who voted against a formal ban did not favour continued use of the electric lance. Japan, while continuing to defend its use of the electric lance, indicated that it planned to undertake research into possible alternatives, and would be reporting the results to the next IWC meeting. The IWC will return to this issue then.

The United States presented a proposal for an aboriginal subsistence whaling quota of five grey whales for its Makah indian tribe, and the Russian Federation sought a quota of five bowhead whales for indigenous peoples in Siberia. Both proposals aroused a good deal of concern, and as discussions progressed it became evident that neither was likely to obtain the three quarters majority needed for adoption. In those circumstances, both the United States and the Russian Federation withdrew their proposals.

Little progress was made on developing a revised management scheme, which is being devised to regulate all aspects of any future commercial whaling that might be permitted in the future. The United Kingdom continues to participate constructively in this work, as we believe that if commercial whaling ever did resume it would be essential to have in place tough and enforceable procedures to ensure that whaling took place only on stocks that were at healthy levels and was on a fully sustainable basis. The IWC did, however, endorse new guidelines on carrying out surveys and on calculating estimates of whale numbers; it also agreed new procedures designed to ensure better IWC oversight of these activities.

At the scientific committee meeting, there was a lengthy discussion of new estimates of minke whale numbers in the north-east Atlantic. The committee eventually agreed that the most recent estimate, derived from a survey carried out in 1995, was adequate for use in the revised management procedure—the part of a future revised management scheme under which catch limits for a particular stock would be calculated—and Norway claimed that this justified its decision to increase the number of whales it is planning to take this year under its commercial whaling operations. Most countries, however, continue to believe that Norway's whaling activities weaken both the moratorium and the authority of the IWC and a resolution was adopted by a large majority calling on Norway to reconsider its objection to the moratorium, under which Norway is legally entitled to continue commercial whaling, and to halt all commercial whaling operations immediately. The UK strongly supported this resolution.

We also supported a resolution calling on Japan to stop its scientific whaling and, in particular, to halt all scientific whaling within the southern ocean sanctuary. Again, this was adopted by a very large majority.

In the scientific committee, the outcome of the recent workshop on the effects of climate change on cetaceans was discussed, and steps were agreed to take forward work on this important issue. These were fully endorsed by the IWC itself through a resolution adopted by consensus. It was agreed, in particular, that the scientific committee would set up a standing working group to co-ordinate its work on environmental change, and that it would seek increased co-operation with other international organisations working on this subject.

A number of other issues were discussed during the meeting. The UK introduced a resolution on small cetaceans, which was adopted by consensus, drawing attention to earlier resolutions on threatened species of small cetaceans and encouraging the scientific committee to continue to identify species under threat and to advise on possible remedial action. A resolution was adopted on whalewatching. It endorsed guidelines proposed by the scientific committee and drew them to the attention of coastal states responsible for regulating whalewatching. Resolutions were also adopted on improving controls on trade in whalemeat and calling on Canada, which withdrew from the IWC in 1982, to rejoin the IWC if it wishes to authorise aboriginal subsistence whaling.

Overall, this was a satisfactory meeting for the UK, and we achieved most of our objectives. While we were not successful in securing a ban on the use of the electric lance, we made encouraging progress and are well placed to take the issue up again at the IWC's 49th annual meeting, which will take place in Monaco in October 1997.

Quarantine

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food what quarantine procedures were applied to the dog owned by Irene Sanders and rescued by British Airways on 23 November 1995; and how many representations he has received on this matter. [28145]

Mrs. Browning *[holding answer 7 May 1996]:* I have received two letters concerning the news item on the independent television 10pm news on 23 November 1995 which showed a dog apparently avoiding the usual quarantine regulations on arrival at Heathrow. In responding to them I have explained that the filming of the meeting of the dog, its owner and the pilot of the aeroplane it arrived on took place after the dog had completed a full six months' quarantine in this country.

Mr. Pickthall: To ask the Minister of Agriculture, Fisheries and Food if he will list the representations received by his Department on the subject of quarantine in the last 12 months, indicating those supportive of the present system and those supporting change along the lines proposed by the Agriculture Committee in the fifth report of Session 1993–94 (HC 347). [28121]

Mrs. Browning *[holding answer 7 May 1996]:* It would not be possible to provide this information in the manner requested without incurring disproportionate costs. However, from 1 January 1995 to 30 April 1996, my Department received 404 letters passed on by hon. Members from their constituents on the subject of quarantine of rabies-susceptible mammals. Of these, 349 supported change along the lines proposed by the Agriculture Committee, 42 supported the present system and 13 were on other quarantine matters.

A further 1,074 letters on the future of quarantine were received over the period, a large majority seeking change to the current system. Eight petitions supporting change were handed in.

Senior officials have twice met representatives from the organisation Passport for Pets.

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce an investigation procedure to pursue complaints made by owners of animals held in quarantine about the conditions in which their animals are being held. [28929]

Mrs. Browning *[holding answer 14 May 1996]:* There are already a number of procedures for dealing with complaints from owners of animals kept in quarantine premises. My officials investigate all complaints concerned with breaches of the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, which covers security and the prevention of the spread of rabies. Complaints about the conditions in which the animals are kept can be referred to the veterinary superintendent appointed to the quarantine premises. Responsibility for investigating problems relating to the contract between the quarantine premises and owners of animals kept there fall to the local trading standards department of the local authority.

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food what steps are taken by his Department to inspect the conditions dogs are kept in at quarantine kennels. [28932]

Mrs. Browning *[holding answer 14 May 1996]:* It is a requirement under the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 that all quarantine premises are under the control of a veterinary superintendent, appointed by agriculture Departments. The conditions of appointment are set out in the form ID51. I have placed a copy of this form in the Library of the House. These conditions state that the veterinary superintendent is responsible for the safe custody and strict isolation of each animal throughout its period of quarantine, and for ensuring that the standard requirements set out on form ID50 are complied with. He/she or his/her deputy, similarly appointed by my Department, must visit the premises daily from Monday to Saturday each week, and on Sundays if necessary. He/she must visually inspect all animals on at least two of these visits each week. He/she must also undertake a further individual examination of any animal which concerns him/her following inspection, or where he/she requested to do so by the kennel management or its owner.

DEFENCE

Married Quarters

Dr. David Clark: To ask the Secretary of State for Defence (1) what representations he has received from representatives of the armed forces concerning the proposed married quarters sale; [35612]

(2) what representations he has received from the chiefs of staff concerning his Department's proposed married quarters sale. [35614]

Mr. Arbuthnot: Our proposals have been developed in full consultations with the chiefs of staff. The terms of the sale have been carefully designed to safeguard the interests of, and produce significant benefits for, the services and service families. The chiefs of staff share the Government's view that we now have the right basis for real improvements in service housing, which are long overdue.

Dr. Clark: To ask the Secretary of State for Defence what alternative proposals to his Department's scheme for the married quarters sale he has evaluated. [35613]

Mr. Arbuthnot: In recent years, we have considered several different approached to achieving our objective of improving the quality and management of service housing. These included different forms of sale, and retaining ownership. We believe that the proposals we have now put to bidders for the sale of the married quarters estate are the right answer, subject to reaching agreement on terms which satisfy the interests of the services and on a price which properly reflects the public interest.

Dr. Clark: To ask the Secretary of State for Defence if he will make a statement concerning Mr. David Hart's involvement in his Department's married quarters sale. [35615]

Mr. Arbuthnot: I refer the hon. Gentleman to the answer given by my hon. Friend the Minster of State for the Armed Forces on 22 March 1995, *Official Report*, column *218*.

Vehicle Depots

Mr. Clifton-Brown: To ask the Secretary of State for Defence what has been the investment over the last five years in the vehicle depots at Ashchurch and Ludgershall. [3314]

Mr. Soames *[pursuant to his reply, 24 June 1996, c. 37]:* I understand that there was an error in the answer sent by the chief executive for the Army Base Storage and Distribution Agency. I have asked the chief executive to write again with the correct information.

Letter from Kevin Goad to Mr. Geoffrey Clifton-Brown, dated 4 July 1996:

I very much regret that the information I gave recently in my reply of 24 June 96 to your question concerning the investment in the vehicle depots at Ashchurch and Ludgershall (PQ Ref: 1597H) was, in part, incorrect

It has come to my notice that there has been a basic calculation error involving the transcription of two columns of figures. This error concerns the figures shown against vehicle depot Ludgershall.

In my reply the figures shown for Ashchurch were correct, but the cost given for Ludgershall was in fact the cumulative total for both sites.

The corrected figures for Ludgershall are:-

Financial year

1991–92: £253,766

1992–93: £432,556

1993–94: £709,624

1994–95: £336,040

1995–96: £389,833

I hope this regrettable error has not caused too much inconvenience. I can only ask you, again, to please accept my sincere apologies.

DUCHY OF LANCASTER

Levene Report

Ms Emma Nicholson: To ask the Chancellor of the Exchequer when he expects to publish the Levene report on the privatisation of public sector research establishments; and if he will make it his policy to take an immediate decision on the implementation of its recommendations. [35015]

Mr. Roger Freeman: I have been asked to reply. Sir Peter Levene has been invited to provide further advice on certain practical questions which emerged from Ministerial consideration of the first tranche of reviews of public sector research establishments. He has been asked to make an early report to Ministers. Decisions on the establishments will be announced as soon as possible. They will be supported by explanatory memoranda which will be placed in the Libraries of both Houses.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 280**

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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